THE Freeman

IDEAS ON LIBERTY

SEPTEMBER 1964

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THE Freeman

SEPTEMBER 1964 Vol. 14, No. 9

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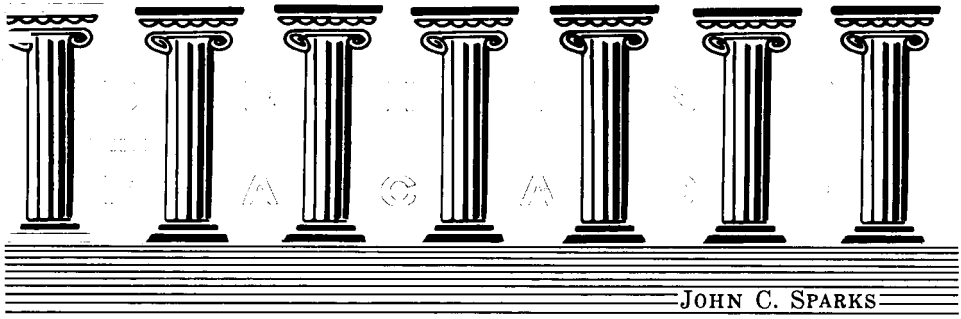

JOHN C. SPARKS

The façade is the outward appearance, usually of the face or front of a building. Often the word is used figuratively with implications of an imposing appearance concealing something inferior, or of conveying a false or misleading impression.

CERTAIN COUNTRIES have earned dubious reputations because of the method used to change rulers. As the leader of the most recent *coup* ascends to the throne, one pities the people who enthusiastically and trustingly turn to the new despot, seeking in him the "magic" that will bring them better living conditions.

Citizens of the United States are inclined to view such governmental instability with a lofty smugness. For we have not resorted to revolution to determine our governmental leaders since the founding of our Republic nearly two centuries ago. Election of our presidents and legislators has been a product of sane, peaceful majority rule – not armed revolt! Thus, we may think we have cause to feel superior.

The truth is that such conceit must pertain to an inheritance, rather than any accomplishment of our own. This inherited blessing is the concept of individual freedom and limited government espoused by our leaders of the 1770's in reaction against the tyrannical rule of an English king.

The colonists in America had experienced a set of circumstances unique in history. The mother country had been so fully occupied with other matters of state, a civil war, and European wars for a century and a half, that the English rulers had little time left to

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govern the colonists. Left alone, they had tasted freedom of choice, the right to own property, and the exhilarating spirit of self-responsibility. They liked it! When King George III finally gave attention to America and imposed relatively minor restrictions on the colonists, they arose in jealous wrath at infringement of the freedom to which they had become accustomed.

And so, they established a government of their own — a government of limited power to intrude into its citizens' decision-making areas. The mechanism they used to resolve public differences of opinion is called "majority rule." As interpreted by the founders, majority rule was keyed to *strictly-qualified* citizens who under *specified* circumstances would be *privileged* to vote on a *restricted* list of issues, or for candidates for office. The founders visualized the potential tragedy of an unimpeded use of this mechanism, and they took great pains to define and limit the powers of government so that the tyranny of the English king would not simply be replaced by a tyranny of the majority. The Bill of Rights, the careful listing of the powers and limitations of the executive, the legislative, and the judicial, the explicit reservation to the state governments and to the people of power not specifically given the Federal government — all are illustrations of the fear of a "Frankenstein-monster" if the majority-rule mechanism were ever to get out of hand.

Their fears were not without foundation.

Majority Rule

In *The American Tradition*[1] Dr. Clarence B. Carson describes the latter-day acceptance of this widespread fallacy in those "who apparently believe that the onus of compulsion is removed from any prescribed action by voting on it. But the fact that a majority favors it does not remove compulsion from government action, certainly not for the minority. Majority approval does not make governmental action voluntary; rather, it intrudes elements of voluntarism into what would otherwise be unmitigated compulsion." Today, majority rule has become the popular front for all kinds of coercion committed against some men by others.

The contemporary method of governing our nation may give an appearance of a genuinely advancing civilization, but a look behind this façade will reveal a government of too much power under a

[1] Irvington-on-Hudson, New York: The Foundation for Economic Education, Inc., 1964. $5.00.

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leader duly elected by vote of the majority. A critical examination of the majority rule mechanism is justified. Is it truly a practical means to guarantee freedom? Just how democratic is a society that is based on indiscriminate use of majority rule?

The use of majority "magic" approaches the hysterical level, as our inherited freedom wanes. Elected officials, through opinion pollsters, strive intently to detect the pulse beat of the nation so that their utterances may coincide with it.

There are implications in the terms democratic action and majority rule that bear critical examination. There is implied a fervent hope by the people for maximum freedom and self-determination. There is a fear of tyranny. There is the distrust of kings and dictators. These are good, healthy hopes and fears. But unfortunately, there also is a faith that voting in itself is a sure way of achieving freedom and protection against despotism. The act of voting is the tangible evidence of a kind of participation in government that had been long denied. Before the advent of the American Republic, people everywhere were considered subjects of their respective kings. Participation in government consisted of following the dictates of the king.

Participation by Voting

Then came this new opportunity for the American people to govern themselves. Self-government meant real participation; and what better way to manifest personal participation than to vote! With a semblance of logic, they reasoned that the more opportunities to vote, the greater would be the citizen's participation in government. To live under freedom required that one participate, and the proof of participation was in the voting. Personal participation, voting, and majority rule came to be the magical, infallible road to freedom from tyranny.

So strong has grown this faith that majority rule is now deemed appropriate for resolving any subject or issue no matter how private, intimate, or individual the matter may be. In place of the original premise of limited voting on limited subject matter we find the irresponsible temptation to vote on everything. The quality of a Congress is often measured by the number of laws it has passed. Pseudo-liberals look at unlegislated areas of human action as challenging new fields to conquer. Thus, freedom is lost within the very nation specifically designed to hold it safe for succeeding generations.

Much is made of the duty to vote. The usual "get out the vote"

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cliché urges the citizen to vote – how he votes being of much less significance than the act of voting. The more votes cast, the better the ensuing government, as if by magic!

We have been hypnotized by our own delusion. The statistically tabulated votes of poorly informed or morally bankrupt persons can add up only to a sizable volume of misinformation or poorly directed political action, thus diminishing the private sector of personal choice and responsibility.

"Freedom" Misunderstood

The philosophical political façade of our nation can be stated in one word – *freedom.* Our young people write essays about freedom and democracy. Having judged numerous essay and speaking contests for high school students, I have read and heard hundreds of them. It is disconcerting to observe how many of the meanings assigned to freedom miss the target. Only a small percentage of the students read into it a true, meaningful freedom of *individual* choice. For most of them, "individual choice" is of little significance except that each person has a "sacred" right to cast his individual vote – as though individual choice and individual vote were synonymous. Many imply that a person ought to be forced to vote! The magic of the façade! But there his right to choose seems to come to an abrupt end, at least, as such choosing applies to any vital area of human action within society. The word "freedom" continues in prominent use in our land of the "no longer free." Behind the façade of freedom grows totalitarianism.

Sleeping citizens have become accustomed to it. The government's democratically-elected president creates for himself, through powerful tax-paid public relations programs, an air of tremendous power and wisdom, like the mystic divine right of the kings of old. People are encouraged to picture the President of the United States as a great leader – not leading toward individual choice and individual responsibility – but as a "god" to whom all citizens should refer their important needs and problems.

With the vigilance of the people relaxed, the Federal government's executive department acts in a manner that seriously jeopardizes the concept of private ownership of property, the pillar of freedom. It interferes in labor-management disputes, often dictating terms of settlement. Unbelievable pressure is exerted on members of Congress to pass civil rights legislation, further eroding freedom of choice

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and use of one's own property. Scandal that presumably should rock the nation's capital is minimized, while talk persists of blackmail wielding its fearful influence on congressional voting.

It is unnecessary to list here a full bill of particulars. Steep taxes, innumerable interferences in local and individual affairs, questionable adequacy of national defense are only a few of the more serious items behind the false face of "freedom." A personal sense of responsibility, long ingrained in the American people, is fast diminishing. By majority vote it has been made to *seem* that society is now responsible to provide each person an income whether he works or not, to educate his children whether he pays or not, to take care of him in his later years whether he has been frugal or not.

On the surface, it may sound good. It may look like self-determination, but it's not! When each one unloads his responsibility upon society, no one is responsible. Lying beneath the disguise of freedom provided by the mechanism of democratic action and majority rule grows an alarming rottenness and deterioration. The mere use of one of the mechanical techniques of a government of free people does not in itself bring about freedom. As we have seen, the same technique can be and is being used to take away freedom – the right of individuals and minorities to choose for themselves.

Properly Limited Government Encourages Maximum Freedom

Real freedom means the least government – government conspicuous by its absence – with sufficient power only to protect life, liberty, and property from frauds, thieves, and murderers. Real freedom means the full right of ownership and to make decisions for one's self and one's family. The right to vote – while an important mechanism if properly used – should be employed sparingly by the people and by lawmaking bodies. Lawmaking activities ought to be directed, for a change, toward the removal of government interferences and restrictions already on the law books.

When government is confined to its proper, limited scope, there will be no necessity for opinion poll-takers to find out what Mr. and Mrs. America think. Each one then will decide for himself – privately, separately, individually – and the matter will concern no one else when real freedom once again exists behind its façade. ◈

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MADE IN U.S.A.

PAUL L. POIROT

AUTOMATION is indeed a coat of many colors, depending upon who happens to be wearing it and how much someone else would like to get his hands on it. Automation, to some, means the use of capital and tools for the more efficient and less costly production of goods and services. To others, it means the loss of job opportunities that existed when more laborious and costly hand methods of production prevailed. And some even think they see in American automation a reason why more and more foreign-produced items are coming to compete in "our" market.

Let us focus, for illustrative purpose, on the camera market, the proposition being that more and more foreign-made cameras are cutting into sales of cameras in the U.S.A. Presumably, American camera factories are highly automated and have better access to capital and tools than do the factories of any other country. Yet, foreign producers frequently are able to beat us on quality, or price, or both. And so, some conclude, our automation is pricing American manufacturers out of the American market.

Well, there's more to an American-made camera than the automated procedures that helped produce it; and it appears that customers in great numbers either are unaware of some of these hidden features of the American product or else they place little value on such features in a camera. For instance, in the American-made camera may be found a fraction of the Tennessee Valley Authority – the part of TVA's cost charged in taxes against the camera manufacturer. And somewhere in the camera will be a portion of the Soil Bank and the wheat and cotton and other subsidized agricultural commodity programs. Also built into all American cameras is a union

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label with an old-age and disability program, unemployment compensation, and a host of other fringe benefits. There's a bit of urban renewal and transportation subsidy, plus a part of a moon shot in the American product. At least 10 per cent of each American camera consists of national defense. And from what other country can one purchase a camera fully equipped with foreign aid and Peace Corps attachments?

How much of the value of the American-made camera lies in these hidden features? That depends on what the camera customer is willing to pay. But it is reasonably certain that taxes of one kind or another make up at least a third of the costs of American-made products, including cameras. If a customer isn't particularly interested in these tax features in a camera, it's quite possible he might find a foreign make that better suits his requirements, and at a lower price than American manufacturers need to stay in business.

Naturally, many American manufacturers would like to see tariffs (taxes levied against foreign suppliers) at least high enough to offset the high taxes levied against domestic manufacturers. But inducing pneumonia is no way to overcome a cold, and a high tariff is no way for American consumers to get better cameras at lower prices.

True, further automation in some cases may help the American businessman pay his high taxes and still meet foreign competition. If so, automation is good business practice. But it is not the fact that we are more highly automated here than in other countries that raises our costs of production above theirs; the high costs of government that are built into our products are a far more likely source of the problem.

If we want government to let us compete, we must first stop asking government to guarantee so many kinds of security and protection against competition.

Automation is just another word for the efficient production that comes from the use of more tools and capital per worker. These come from savings by individuals when private property is protected and competitive private enterprise is encouraged. Competition is the life of trade – all the voluntary exchanges on which our own lives so largely depend. ◈

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LEONARD E. READ

THE CASE FOR THE FREE MARKET *in Education*

TO GRASP the limited role that government should play in human affairs, one need only know what government is: *organized police force.*[1] This is not said in a derogatory sense but only by way of explanation. Personify government and the point is clear: The distinction between you as a private citizen and you as government is that as government you are backed by the constabulary. You issue an edict and I obey or suffer the consequences. Remove the constabulary and you are restored to private citizenship. You issue an edict and it has the same force as a resolution of a chamber of commerce. I do as I please. Essentially, the uniqueness of individuals organized as government is that they are organized as police force.

Omitting the complex details, organized police force – government – has only the limited role of keeping the peace, that is, clearing the social arena of violence, fraud, misrepresentation, injustice. This much the government *must* do, *and this only*, to be consistent with any good theory of individual liberty.

My thesis is that when government exceeds its limited competence and directs its police force into the management of peaceful pursuits – when government intervenes as boss rather than as guard – imbalances in the market place such as surpluses and shortages must inevitably result. Nor does it matter what the peaceful pursuit is: food, housing, education, or whatever. A government guaranteed price for wheat above what people will freely pay will

1 "Government, in its last analysis, is organized force." Woodrow Wilson, *The State* (Boston: D. C. Heath & Co., 1898), p. 572.

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produce more wheat than people will freely buy: surplus. A government enforced ceiling price on rents below what people will freely offer will produce less rental space than people are willing to pay for: shortage! Imbalance results no matter which way the police force throws its weight as boss in the market place.

Education is a peaceful, creative, productive pursuit. When police force is wielded in the educational market – just as in the commodity market – imbalance is the consequence. Chief among the distortions to be found in government education is that of an imbalance in types of knowledge; there is an excess of know-how relative to wisdom or understanding.[2]

Police force functions as boss of education in three ways:

1. Compulsory attendance
2. Government dictated curricula
3. Forcible collection of the wherewithal to pay the bills

Remove the police force – government as boss – and education is restored to the free, competitive market. Let us imagine that this has been done, that the entire educational endeavor rests exclusively on self-determination – as does organized religion in America today.

What would happen?

No One Knows!

Strange as it may seem, *no one can know!* Some will say that this admission is a retreat from my argument that education would be improved if left to the free, competitive market. On the contrary, it is in support of the free market as the sole, effective means of improving education.

If you are compelled to do as someone else dictates, if obstacles are placed in your way, if you are relieved of responsibilities, I can at least predict that you will not function to your fullest in a creative sense. But no one can even roughly predict what wondrous things you will create if released from restraints and dictation, that is, if freed from obstacles. Indeed, you cannot make such predictions about yourself. What new idea will you have tomorrow? What invention? What will you do if a new necessity, an unexpected responsibility, presents itself? We know that creativity will be increased, nothing more.

Confining the discussion to education, assume that you are no longer compelled to send Johnnie to school; no government committee will prescribe what Johnnie must study; no government tax

[2] See "Nuclear Giants and Ethical Infants" to which this essay is a sequel. THE FREEMAN, August, 1964.

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collector will take a penny of yours or anyone else's income for schooling. This, it must be emphasized, is the free market assumption.

Is Johnnie in any less need of learning than before? Are other persons – teachers, for instance – any less wise or less available for counsel and employment? Is there less money for educational purposes? If no longer compelled to pay the money in taxes, would you spend it on parties or cigarettes or alcohol or vacations rather than voluntarily spending it for Johnnie's education? If so, you value Johnnie's education less than you value indulging yourself. In any event you make a choice – a choice that you obviously think to be the better alternative; scarcely anyone would claim that he had decided to choose what he values least when he could choose what he values most. Shall we say someone else thinks your judgment is bad if you decide in favor of vacations, for instance, as against Johnnie's education? Do you wish the person who thinks your choice is wrong forcibly to impose his notion of right on you? If so, just where are you going to draw the line as to what choices others are to make for you? To authorize others to make your choices is to give yourself the role of automaton. You can't believe that your choice is the best and accept, at the same time, someone else's verdict that it is the worst. This is utter nonsense. To apply police force to you is to contradict your judgments. If applied to others, it can only contradict their judgments. Who is the appropriate ruler of your educational program? You? Or others? Or a political committee which cannot be better than the lowest common denominator of others?[3] The free market way relies not on one judgment for the millions but on millions of individual judgments.

Religious Freedom

Why should not education be just as self-determined as religion? Is education more important than religion? Americans condemn Russians, for instance, more for being ungodly than for knowing how to make little else than vodka and caviar that can compete in international trade. But do we not emulate the communists by favoring the employment of force in education? Applying police force to education is but man trying to act as a god, that is, trying to cast others in his own fallible image.

In the United States, we have rejected the police force as the proper way to determine one's religion. Are high moral standards

[3] For a discussison of committees, men acting in council, see "On That Day Began Lies," THE FREEMAN, April, 1956.

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and improving attitudes toward one's life and the life of others – prime objects of religion – of less value than knowing how to read or to write or to add two and two? Indeed, are not both education and religion intimately personal matters, one as much as the other? Is the education of another any more of my or your business than the religion of another?

In many countries – certainly in the U.S.A. – the idea of (1) being compelled by government to attend churches, or (2) having the government dictate clergymen's subject matter, or (3) having the expenses of religious institutions forcibly collected by the tax man, would be an affront to the citizens' intelligence. Why do people believe in applying police force to education and letting religion rest on self-determination? Logically, there appears to be no basis for the distinction. Tradition, custom – living with a mistake so long that reason is rarely brought to bear – may be the explanation.

The Other Fellow!

Being a disbeliever in the management by the police force of any creative activity, I have on countless occasions asked individuals in various occupational levels if they would let their children go uneducated were all governmental compulsions removed. The answers given me have always been in the same vein. If you will try this yourself, you will be impressed with how alike the answers are: "Do you think I am a fool? I would no more let my children go without an education than I would let them go without shoes and stockings. *BUT* some forms of compulsion are necessary, for there are many persons who do not have the same concern for their children as I have." And there you have it! Police force is never needed to manage me, only necessary for the other fellow! The other fellow's weakness – the possibility of his having no interest in himself or in his offspring – is far more imaginary than real. It is, for the most part, a fiction of the compulsory, collectivistic myth. Should you doubt this, try to find that rare exception, "the other fellow." If every parent in this country were to consider authoritarianism in education as applying only to himself and could divorce from his thinking the "incompetency of others," there would be no police force applied to American education. Let any reader of this essay, regardless of wealth status, honestly try this exercise and arrive at any other conclusion!

A child, from the time of birth until adulthood, is but the extension of the parent's responsibility. The child can no more be "turned

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out to pasture" for his education than for his morals or his manners or his sustenance. The primary parental responsibility for the child's education cannot properly be shifted to anyone else; responsible parenthood requires that some things remain for one's own attentions, no matter how enticingly and powerfully specialization and division of labor may beckon one. And, the education of one's children is a cardinal case in point.

This does not mean parents should not have help – a lot of specialized assistance – with their educational responsibility. It does mean that the parent cannot be relieved of the educational responsibility without injury to himself – that is, without injury to his own person and thus to the child who is but the extension of his personal responsibility.

Importance of the Premise

According to the premise on which all of my own positions are based, man's highest purpose in life is the unfolding of his own personality, the realization, as nearly as possible, of his creative potential, that is, his emergence, his hatching, his becoming.[4] Such achievement presupposes that the educational process will go on through all of adulthood, as well as during childhood. Indeed, school for the child, if it is to have meaning, is but the preparation for a dynamic, continuing process of education. The test of whether or not any primary and secondary educational system is meeting the requirements of true education is: Does it set the stage for adult learning?

How does the application of police force to education bear on this question? It tends to relieve parents of educational responsibilities, including the study that might have involved themselves. Compulsion – police-force-as-boss – says, in effect, to the parent: "Forget about the education of your child. We, acting as government, will compel the child to go to school regardless of how you think on the matter. Do not fret unduly about what the child will study. We, the agents of compulsion, have that all arranged. And don't worry about the financing of education. We, the instruments of authority, will take the fruits of the labor of parents and childless alike to pay the expenses. You, the parent, are to be relieved of any choice as to these matters; just leave it to the police force."

These police-force-as-boss devices lead to two grave educational errors. First, the parent is robbed of the educational stimulus that

[4] See "Importance of the Premise," THE FREEMAN, January, 1962.

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would be his were he to be responsible for the education of his offspring. Joe Doakes would be educationally more fit if he had to understand what Johnnie is supposed to learn – if he were obliged to "keep his hand in."

Second, these police force devices falsely earmark the educational period. They say, ever so compellingly, that the period of education is the period to which the compulsion applies. The ceremonies of "graduation"– diplomas and licenses – if not derivatives of this system, are consistent with it. Government education is resulting in young folks coming out of school thinking of themselves as educated and concluding that the beginning of earning is the end of learning. If any devotee of government education will concede that learning ought to continue through all of life, he should, to be consistent, insist on compulsion for adults as well as for children – for the octogenarian as well as for the teen-ager. The system that is supposed to give all an equal start in life tends to put an end to learning just at the time when the spirit of inquiry should begin its most meaningful growth.[5]

[5] "The normal human brain always contains a greater store of neuroblasts than can possibly develop into neurons during the span of life, and the potentialities of the human cortex are never fully realized. There is a surplus and, depending upon physical factors, education, environment, and conscious effort, more or less of the initial store of neuroblasts will develop into mature, functioning neurons. The development of the more plastic and newer tissue of the brain depends to a large extent upon the conscious efforts made by the individual. There is every reason to assume that development of cortical functions is promoted by mental activity and that continued mental activity is an important factor in the retention of cortical plasticity into late life. Goethe . . . [and others] are among the numerous examples of men whose creative mental activities extended into the years associated with physical decline. . . . There also seem sufficient grounds for the assumption that habitual disuse of these highest centers results in atrophy or at least brings about a certain mental decline." Renee von Eulenburg-Wiener, *Fearfully and Wonderfully Made* (New York, N. Y.: The Macmillan Company, 1939), p. 310.

Creative Energies Released

It was stated above that no one could have knowledge as to what would happen were there to be no more police-force-as-boss in education. That is correct concerning specifics and details, but there are generalizations which can be confidently predicted. For instance, one knows that creative energies would be released; that latent potential energies would turn to flowing, moving, power-giving, kinetic energies and activities. Creative thought on education would manifest itself in millions of individuals. Such genius as we potentially and compositely possess would assert itself and take

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the place of deadening restraints. Any person who understands the free market knows, without any qualification whatsoever, that there would be more education and better education. And a person with a faith in free men is confident that the costs per unit of learning accomplished would be far less. For one thing, there wouldn't be any police boss to pay for. Nor would there be the financial irresponsibility that characterizes those who spend other people's money. The free market is truly free: it is *free* of restraints against creative action; it presupposes *free* exchange; its services are as *free* as the sun's energy.[6]

Not only is this faith in uninhibited, creative human energy rationally justified, but also there is evidence aplenty to confirm it. In other words, this faith is supported *both theoretically and* pragmatically. Except in the minds of those who are temperamentally slaves – those who seek a shepherd and a sheep dog, those who are revolted by the thought of self-reliance, those who are ideologically attuned to authoritarianism – there does not exist a single creative activity now being conducted by man in voluntary action that could be improved by subjecting it to the police-force-as-boss. But put any one of these activities, now voluntarily conducted, under government control, leave it there for a short period, and general opinion would soon hold that the activity could not be conducted voluntarily!

Getting Used to It

A couple of decades from now, after the electric power industry has been nationalized for a few years – a likely event if present trends continue – there will be only a few people in America who will favor a return to private ownership and operation. The vast majority will not understand how that activity could exist without police-force-as-boss and still serve the people. For confirmation of this point, note the many people today who believe that the relatively simple matter of mail delivery *could not be left to the* free market without resulting in chaos.[7]

It is a detachment from reality, a blindness to the enormous evidence in support of freedom – like an unawareness of the air we breathe – that accounts for much of the lost faith in educational productiveness were the educational system relieved of restraints and compulsions. The restraints, be it remembered, are

[6] See "The Market Is a Computer," THE FREEMAN, March, 1964.

[7] See "Let Anyone Deliver Mail," THE FREEMAN, July, 1957.

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in the form of taxes – the taking away of the wherewithal to finance one's own educational plan. The compulsions are in the form of forced attendance and dictated curricula.

For Restoring the Faith

Several aids to the restoration of a faith in free market education are:

1. Observe activities not yet socialized, that is, not conducted by police-force-as-boss, and how satisfied we are with free market operation. Also, note that people fare better in countries that are more free than in countries that are less free – without exception.

2. What is there which we know how to do, and for which there is an effective demand, which remains undone in America? Not a thing except that which police force restricts! There are many thousands of individuals – expert in educational techniques – who have know-how.

Effective demand? Can anyone argue with reason that there can be education of those who do not want it? The answer is the same as to the question, "What can anyone force another to learn?" You can push a pupil into the classroom, but you can't make him think. For those who want education – and they can never have it if they do not want it – will have education. Authoritarianism is antagonistic to the extremely sensitive spirit of inquiry, the will to learn. Remove all police-force-as-boss, and we remove education's chief obstacle.

3. While one cannot know of the brilliant steps that would be taken by millions of education-conscious parents were they and not the government to have the educational responsibility, one can imagine the great variety of cooperative and private enterprises that would emerge. There would be thousands of private schools, large and small, not necessarily unlike some of the ones we now have. There would be tutoring arrangements of a variety and ingenuity impossible to foresee. No doubt there would be corporate and charitably financed institutions of chain store dimensions, dispensing reading, writing, and arithmetic at bargain prices. There would be competition, which is cooperation's most useful tool.[8] There would be a parental alertness as to what the market would have to offer. There would be a keen, active, parental responsibility for their children's and their own educational growth.

[8] Without competition among bakers, for instance, I have no basis for deciding on the baker with whom I will exchange, that is, cooperate.

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Socialism would be explained but seldom advocated in the classroom. The free market, by its nature, would rule out such waste and extravagance. Competition for the educational dollar would attend to that.

4. Let your imagination take you back to 1900. Suppose someone had been able to conjure up a picture of a 1964 automobile with all of its wonderful performances. And suppose you had been asked how it could have been made. You could not even have grasped such a miracle, let alone have described how to make it. Yet, it has been produced, and without police-force-as-boss. Indeed, what would the 1964 car be like if the government had compelled attendance at research laboratories, dictated the subjects to be explored and the wonders to be invented, and forcibly collected the funds for the undertaking?[9] Bear in mind that millions of unobstructed man-hours of ever-increasing skills and thinking, in a constant and complex free exchange process and with a strict attention to millions of individual judgments, have made the 1964 car so useful to so many people. And so it would be with free market education. We cannot foretell what would happen were free men given the responsibility for this activity; that is, were as much creative, uninhibited thought – in response to consumer wants – put to education as has been put to motor cars. As it is, a vast majority of the people have given little more than cursory thought as to how to educate without employing police-force-as-boss. No wonder! We have the tendency not to think about problems not our own, about activities pre-empted by government. Remove the obstacles of coercion and the potential energy of man will approach realization. Police-force-as-boss as an effective means to the educational end is but a superstition. It has no foundation in fact.

5. The children of the poor? They obtained food and clothing prior to our practice of governmental alms – more than ever available before. But education isn't as important as shoes and stockings. Education is only as important as life itself. Johnnie couldn't get a job as truck driver unless able to read street signs or bills of lading. Furthermore, remove the taxes we are now paying for present governmental interventions – including education – and poor parents will not be as poor. And literally millions of

[9] I suspect it would be about as remote from consumer requirements as the vehicle now being built to put men on the moon.

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Americans would like nothing better than voluntarily to finance the education of children of those who might be in unfortunate circumstances. Some, of course, will counter with the notion that such charity is degrading, an unforgivable socialistic cliché.[10] No one argues that voluntary giving is degrading; all consider giving as a brotherly act. Does not giving presuppose a recipient? Can giving be brotherly and receiving degrading? True, perhaps charity isn't as agreeable to a recipient as self-financing, but is it not more agreeable than police grants-in-aid?

If government were out of education as its boss – 100 per cent – and if we had only free market education, no child in America would be denied an education any more than any child is presently denied religious instruction or shoes and stockings.

Protector Turned Predator

While the above theoretical case for free market education is good enough for me, I confess to a practical dilemma. Regardless of the attempts throughout history to limit police force to its role of keeping the peace – a societal guard, so to speak – it has always gotten out of hand. Sooner or later, in every instance, the role has shifted from guard to boss of the citizenry, that is, from people service to people control; protector turned predator, one might say! So sad is the record of limitation that some persons throw up their hands in despair, incorrectly concluding that if limitation has never been maintained, it, therefore, is forever impossible. They begin to disbelieve even in limited government, insisting on no government at all; they become what might be called philosophical anarchists.

The reason for unsuccessful limitation is that too few individuals have ever understood the price that must be paid for limitation. The price is far more than writing a Constitution and a Bill of Rights with their proscriptions against governmental excesses, and designing a government of checks and balances. The price is the resurrection of what has become a bromide into a living, dynamic performance: *eternal vigilance.*

This performance is in the form of an achievement in understanding (1) the nature of government, (2) its uniqueness as police force, and (3) the limited competence of, as well as the absolute necessity for, police force

[10] Scholarships—how do they differ?—are sought and granted on an enormous scale by the very persons who repeat this cliché.

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– an understanding to be learned, mastered, and remembered by at least enough persons to form an effective leadership in each new generation. This performance is a personal, day-in-and-day-out requirement, meaning that it cannot be delegated to others, much less to our forefathers; it can never be relegated to the past tense; it is a *continuing* imperative of each new moment, without end.

The dilemma is this: The understanding of police-force-as-guard will, obviously, never be advanced but only retarded by police-force-as-boss, the latter being in the educational driver's seat. Thus, unless a breakthrough is achieved by an individual here and there, capable of independent analysis and unafraid of parting company with the mores, the most important aspect of education for responsible citizenship will go unattended.

The myth of government education, in our country today, is an article of general faith. To question the myth is to tamper with the faith, a business that few will read about or listen to or, if they do, calmly tolerate. In short, for those who would make the case for educational freedom as they would for freedom in religion, let them be warned that this is a first-rate obstacle course. But heart can be taken in the fact that the art of becoming is composed of acts of overcoming. And becoming is life's prime purpose; becoming is, in fact, enlightenment – self-education, its own reward. ◈

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by Leonard E. Read

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POSITIVE

DEAN RUSSELL

THE LIBERAL-SOCIALIST is always positively *for* something. But the conservative-libertarian is all too frequently merely *against* something. That's why the socialists are winning.

Now personally I'm positively *for* every good thing there is. For example, I'm aggressively in favor of higher standards for education – and more and better education – than any socialist I ever met. I want the best possible medical care for everyone. With all my heart, I desire that every family in the United States and elsewhere shall be well fed, well clothed, and well housed.

I'm positively and vehemently *for* absolute equality under law, with no legal references whatever to a person's race or religion. Whether a person is black, white, or Druid, I'll march to gain for him the legal right to use his property for any purpose he wishes except to injure others.

While the socialists campaign for minimum wages and minimum standards of living, I shall continue positively to explain to people how the free market will bring maximum wages, high standards, and more goods and services for everyone. I'm for the maximum and against the minimum.

If people only realized it, the advocates of these minimums and averages are their deadliest enemies. The socialists want to depress the people to a common level; the libertarian wants to elevate each individual person to his highest capabilities.

The socialists want to standardize people; the libertarian wants to encourage and assist each person to develop his own personality and potentiality to the fullest.

The socialists want to restrict and forbid and control; the libertarian wants to remove the artificial and man-made obstacles to peace, progress, and plenty.

Since that is what you and I favor, why don't we say so? If we explain our viewpoints consistently and effectively, we will soon put the socialists on the defensive where they belong. For when it comes to an interest in the true welfare of people, the socialists are small men of little vision. ◈

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THE EQUALITARIAN DREAM AND DEMOCRATIC REALITY

DEAN BANKS

MANY years ago, Karl Marx conceived a dream of human equality. Disillusioned by the social and economic injustice of the nineteenth century, Marx closed his eyes, gave full play to emotion and imagination, and the dream began. But Karl Marx never again opened his eyes. The dream engulfed the man, took control of his mind and pen, and produced fantastic denials of human reality. Though Marx died long ago his utopian ideal still sparks the passion of multitudes. And, like Karl Marx, contemporary dreamers sometimes allow the inherent fanaticism of the heavenly vision to pervert its original beauty. They tend to lose sight of one sobering fact: there is a difference between idealism and attainable reality, but passion always obscures that difference.

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What was Marx's original dream? It is with each person from the first days of social awareness, at least with everyone who has known normal feeling and compassion. Many dedicate themselves to the task of bringing the vision to life. Some use persuasion; others employ force – all fail to transform the dream into reality. Men like Marx gird their idealism in economic theory and call it "communism," a vague kind of economic and social equality. Others wrap it in spiritual raiment and look for paradise on earth. Many think of their dream simply as morality, a human distinction which enables men to live peacefully together. Large numbers label the idea as "socialism." And in this nation some are even calling it "abolition of poverty, prejudice, and discrimination." Whatever the title, the ideal remains only a dream of perfection.

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Perfection is something we desire and ever struggle toward, but never attain.

The beautiful idea of universal brotherhood and equality – who does not desire it, this cure-all for social and economic afflictions? What person in this nation does not yearn for victory over poverty, greed, bigotry, or other diseases of humanity? This is the dream of all who are fully aware of their humanity. But are these defects not the natural products of human differences? Certainly they are, and it must be admitted that these very inequalities are the essence of a free society. It appears, therefore, that a natural conflict exists between our idealism and democratic realities.

Throughout the history of the United States, dissatisfaction with being "average" or equal has compelled above-average effort and achievement. The dissatisfied person whose ability matches his enthusiasm rises to positions above the less capable and less enthusiastic. It seems that down through the centuries of recorded history, men have remained unequal in both ambition and ability. Both are human characteristics which give birth to the fact of human inequality. Both make the dream of perfect social harmony unattainable. The social and economic philosophy of a free society not only recognizes such inequality, it promotes it and thrives on it.

Freedom to Develop One's Talents

Aside from political equality, the democratic philosophy proposes two basic rights for all: the opportunity to develop one's talent to the fullest extent, and equal freedom for all to pursue that opportunity. No nation can guarantee that every person will develop his talent, or that each individual will compete successfully in gaining the opportunity he desires. In the first case, ambition is the necessary ingredient; in the latter, ability. In a free society success can never be a "right." It is always a privilege, and perhaps even a duty. And above all, success does not imply equality: that person succeeds who takes what ability he possesses and then satisfies himself that he has cultivated it and is using it as best he possibly can. In no way does success imply material or intellectual parity.

Also, in a functioning democracy success is a relative thing, for as competition grows stiffer, a person may find himself excluded from opportunities which could have been his at one time. Supply and demand create competition, and the competitive process always reveals inequalities. Be-

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cause of these individual differences one person will win an opportunity for which another has disqualified himself. As the quest for opportunities grows more competitive (higher education, for example) such inequalities become more apparent, if not more diverse.

Thus, the reality remains: when full vent is given to the development of individual talent, men naturally become unequal. And from such inequality, based on individual merit, the nation is motivated toward the dream of a better life for all.

The Problem of Poverty

An important part of that dream is the alleviation of the material poverty which seems always to exist, and here again certain democratic realities should not be forgotten. In recognizing the need of each individual for food, clothing, shelter, and medical care, will this society continue in the awareness that such material provision is contingent upon individual achievement and moral consideration? And will we remain aware that poverty, like success, is a relative thing? These questions deserve examination.

First, concerning individual achievement, we find ourselves back to the problem of ambition and ability. In a competitive system a deficiency of either brings material poverty. In fact, the lack of ambition and ability is, in itself, a form of poverty. And will poverty of initiative and capacity prove an insurmountable and frustrating barrier in the idealistic war against material poverty? This type of deficiency certainly will prove just as frustrating as the variability of material status in this nation.

The problem of material inequality was expressed most concisely by Voltaire, over two hundred years ago. Surveying the problem as it existed in his lifetime, this well-known Enlightenment thinker concluded: "All men would be necessarily equal, if they were without needs. . . . It is not the inequality which is the real misfortune, it is the dependence."[1] Human "dependence" will remain as long as human differences exist. A free society breeds dependency of various degrees. The problem is that today poverty and dependency tend to be equated in many minds. With material prosperity has come luxury, *comparative poverty*, and an abnormal passion for material equality. This thing of "keeping up with the Jones's pace" has had a profound effect by

[1] Voltaire, *Philosophical Dictionary*, 1750; quoted in Crane Brinton, ed., *The Age of Reason Reader* (New York: Viking Press, 1956), p. 268.

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creating senses of inequality all along the line of social status. We have grown dissatisfied with the old comparison between material deficiency and adequacy, and have become absorbed in the difference between adequacy and luxury, and even luxury and excess. Success and happiness seem to be found mainly in material equality, and many who fail to gain such parity through competition are sometimes prone to demand it as a human right. Thus, the luxuries of today may be demanded as tomorrow's necessities, and the need is never satisfied except through equalitarian reform. This is the process by which individual moral consideration for human need is transformed into collective "legal" compulsion.

This transformation encompasses not only material equation, as discussed above, but psychological parity as well. Human differences create dependency and inequality which in turn produce feelings of inferiority and social antagonism. Prejudice, intolerance, and feelings of inadequacy evolve from human inequality and, like other forms of poverty, must be approached through moral example, moral persuasion, and human understanding and compassion. Psychological differences, or senses of inequality, can be lessened or soothed in this manner, but they will never be erased. This is a frustrating fact.

Eliminating the Human Quality

Psychological differences may be abolished, it seems, in only two ways: by doing away with all human inequality, or by rendering human beings void of feeling and emotion. Either method would necessitate the creation of mental robots, beings without initiative, individuality, and sensitivity – creatures no longer human. Such was the method finally attempted by many followers of Karl Marx. This enervating remedy has been applied in some nations, and still the idealistic ritual of sacrificing social and economic freedom on the altar of "the good of society" continues to gain momentum.

Certainly the equalitarian reform movement in America has grown out of the earnest attempt to realize the dignity of the individual. But demands are spreading through emotional and moral force to include things which are both humanly unrealistic and democratically impossible. Political rights and equality before the law no longer satisfy desires. Now psychological and material equality are being added to the list of human rights, a list which likely will never be complete. For strange as it may seem, the free society, which naturally creates all

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varieties of inequality, affords a fertile environment for equalitarian idealism. Any attempt at understanding the rights issue in America must include an examination of this strange reality.

Origins of Equalitarianism

If equality is humanly and democratically impossible, why are many in this nation striving so fervently to attain it? What are the origins of equalitarianism? Some have been mentioned previously, but the following appear most prominent.

The idea of human equality rises from the desire for social harmony and moral justice. Such desire has been transformed into numerous laws which are intended to enforce "humanity" among men. Thus, society safeguards itself, by limited equalitarian law, from common human instincts which would destroy social harmony and deprive its citizens of life, liberty, the pursuit of happiness, and private possessions. But in a highly competitive society, law and law enforcement are very imperfect and create considerable frustration. At the same time, extremes of individual inequality abound. Only one conclusion seems possible. In a free society, the problems of social regulation and social diversity are accelerated and tend to provoke more extreme demands for reform. Due to prolonged frustration created by the natural disharmony of a free society (plus international pressures), many finally become receptive to the idea of applying a leveling process as the only solution. This same frustration and equalitarian solution can be noted in the histories of most major countries since the middle of the nineteenth century. Our experience is not unique; our problems are perhaps just more accented, more persistent, and considerably more diverse.

The Moral Tradition

A second origin of reform zeal is found in the moral tradition of this society, and especially in the inherent idealism of its religious institutions. The desire for heavenly perfection is good and beautiful, and no body of thought has contributed to social progress as much as that found between the covers of our Bibles. In today's world the Church's responsibilities and influence surpass those of any other organization. But it may be far better that the Church ignore its duties than for it to lose its sense of reality in supporting the attempt to impose a heavenly dream world on this earth of human imperfection; for in the process it may destroy economic and social freedoms essen-

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tial to democracy. The danger is that the Church, like other groups, may be trying to enact moral obligation into legal compulsion. An admonition by John Locke, written in 1689, covered the issue bluntly, but very well: "It is absurd," he noted, "that things should be enjoined by laws which are not in men's power to perform."[2] Prejudice, discrimination, and compassion are among such "things."

Locke's statement summarizes the trend of moral idealism, and also leads us to the last, and most comprehensive, origin of equalitarianism; for, basically, the unrestrained demand for legalized absolute equality is little more than disregard for the limitations of law. Religious or secular passion may effect such neglect, as discussed previously. However, the problem in this society involves not only the driving emotion which obscures legal limitations, but also the lack of rigid, permanently defined laws covering various matters. This is, of course, necessary in a dynamic society; much of the law must be flexible for interpretation under varying conditions.

Thus, our predecessors established in 1787 certain fundamental guidelines by which the social, political, and economic activity of this nation would thereafter be regulated. Some of this fundamental law is inflexible, not subject to evolutionary interpretation; other parts are quite broad and have been interpreted time and again by the Supreme Court in an effort to adapt them to changing conditions of society. This combination of static and flexible law has produced the most stable *and* progressive nation in world history. Yet, this dual nature of the Constitution contains an inherent danger which has begun materializing.

Reforms and Crusades

The constant interpretation of the more elastic Constitutional provisions seems to produce an atmosphere of reform which, under conditions noted above, creates demands for alteration of the permanent guarantees of fundamental law. This influence manifests itself, for example, in debate over definition of "public services," or "public accommodations." This question, one affecting the economic vitality of a free society, occupies a central position in the current rights crusade. Its examination will provide the best example of equalitarian Constitutional modification.

What constitutes a public serv-

[2] Quoted in John H. Randall, *The Making of the Modern Mind* (Boston: Houghton Mifflin Co., 1926), p. 375.

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ice? Under what circumstances may private property be so defined and thus regulated for the "common good"? In attempting to summarize the problem one must, of course, remember that "public accommodation" is only a more refined title for public service – for that which accommodates also serves.

"Public Service" Defined

Some will suggest that public services are those organizations established at public expense; such services, publicly owned, serve the general tax-paying citizenry. Few would deny the validity of this definition. At the other extreme stands the more idealistic group which identifies as public services all establishments openly engaging in business with human beings. In a free society founded on guarantees of life, liberty, pursuit of happiness, and right of private ownership, which of the two standpoints can be adopted as both functional and recognizing human dignity? What has the Supreme Court of this nation decided on the matter?

In 1877 the highest Federal Court attempted for the first time to deal with the problem. In *Munn* v. *Illinois* the Court reviewed an Illinois law regulating private grain warehouses which had combined to fix charges for elevator and warehouse services. The key sentences in the majority decision, which upheld the Illinois law, definitely ruled against the *active* use of property in a manner which would unnecessarily injure another: the "social compact . . . does not confer power upon the whole people to control rights which are purely and exclusively private . . . but it does authorize the establishment of laws requiring each citizen to so conduct himself, and so use his own property, as not unnecessarily to injure another."[3]

The *Munn* v. *Illinois* decision was not unanimous. In fact, the dissenting opinion of Justice Stephen J. Field overshadows the majority view by its critical analysis of the problem: "The defendants were no more public warehousemen, as justly observed by counsel, than the merchant who sells his merchandise to the public is a public merchant . . . and it was a strange notion that by calling them so they would be brought under legislative control."[4] Justice Field declared, "But it would seem

[3] Major court decisions of this type may be found in any government textbook, but one of the most convenient collections of such documents is available in the following, from which these quotations were taken: Richard Hofstadter, *Great Issues in American History*, vol. II (New York: Vintage Books, 1958), p. 139.

[4] *Ibid.*, p. 143.

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from its opinion that the court holds that property loses something of its private character when employed in such a way as to be generally useful."[5] "If this be sound law," he continued, "if there be no protection, either in the principles upon which our republican government is founded, or in the prohibitions of the Constitution against such invasion of private rights, all property and all business in the state are held at the mercy of a majority of its legislature. . . . Indeed, there is hardly an enterprise or business engaging the attention and labor of any considerable portion of the community, in which the public has not an interest in the sense in which that term is used by the court in its opinion."[6]

A Confusion of Concepts

Since 1877 an indiscriminate fusion of entirely different social concepts has occurred: moral right has been equated with legal right, while public service has become synonymous with private service. The merging of these four concepts can be seen by examining two well-known Supreme Court cases, plus current developments.

In *Plessy* v. *Ferguson,* 1896, the Court upheld a Louisiana law which provided for segregated, "separate but equal accommodations" in transportation facilities. The decision later was applied to public educational facilities. In concluding its opinion the majority noted the difference between moral and legal rights: "The argument also assumes that social prejudices may be overcome by legislation, and that equal rights cannot be secured to the Negro except by an enforced commingling of the two races. We cannot accept this proposition. If the two races are to meet upon terms of social equality, it must be the result of natural affinities, a mutual appreciation of each other's merits and a voluntary consent of individuals. . . . Legislation is powerless to eradicate racial instincts or to abolish distinctions based upon physical differences, and the attempt to do so can only result in accentuating the difficulties of the present situation."[7]

Justice John M. Harlan, dissenting in *Plessy* v. *Ferguson,* could not admit a distinction between moral and legal right: "The arbitrary separation of citizens, on the basis of race, while they are on a public highway, is a badge of servitude wholly inconsistent with the civil freedom and the equality before the law established

[5] *Ibid.,* p. 144.

[6] *Ibid.,* p. 145.

[7] *Ibid.,* p. 57.

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by the Constitution. . . . It cannot be justified upon any legal grounds."[8]

A half century and a half-dozen cases later, the Court concluded that "in the field of public education the doctrine of 'separate but equal' has no place."[9] This decision, in *Brown* v. *Board of Education of Topeka,* 1954, was based on the finding that "separate educational facilities are inherently unequal" due to the creation of a psychological sense of inferiority "which affects the motivation of a child to learn."[10]

When an Exception Becomes the Rule

What conclusions can be drawn from the changes occurring between *Munn* v. *Illinois,* 1877, and the present, but that certain concepts have become equated in meaning? From the original attempt to restrict practices of monopoly, legal regulation of private property is being expanded to include all private facilities engaging in business with the public. This movement has received much of its force from the 1954 case, which definitely applied only to public educational facilities (those established by the public). The fusion of moral and legal right in the *Brown* case requires no comment, and certainly, as public facilities, the schools fall within this ruling. Personal bias and intolerance create psychological senses of inferiority and cannot be allowed to dictate policy in public services. But application of this principle to privately owned services raises definite questions of Constitutional legality; such an attempt would constitute nothing less than an effort to alter permanent guarantees of fundamental law. If this happens, it may be the beginning, rather than the end, of equalitarian trends. Any human difference tends to create a psychological sense of inadequacy. The possibilities for protest and demand are limitless, unless "public service" and other ambiguous slogans are kept within the limitations of the inflexible safeguards of fundamental law. Moral fervor finds justification, however unrealistic, for satisfying all human needs. It has happened in many parts of the world, areas in which initiative and ability are still being sacrificed on the altar of "the common good."

Regardless of geographical setting, however, the leveling process of equalitarian reform always begins with that beautiful dream of social and economic paradise, an earthly heaven in which there

[8] *Ibid.,* p. 58.
[9] *Ibid.,* p. 63.
[10] *Ibid.*

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will be no prejudice, no discrimination, no material poverty or poverty of ambition and ability. Few will deny that this dream springs from earnest human desire. But desire for the ideal society sometimes rises to blinding emotion, and this intensity of feeling, which finds a natural environment in a free society, tragically obscures the vital differences between the equalitarian dream and the realities of the democratic society. ◈

The Haves versus the Have-Nots

OUR POLITICAL LEADERS have recently declared war against poverty. They have promised an all-out effort to abolish it here in the United States, and perhaps elsewhere. The tactics they are using for this campaign are necessarily determined by the nature of government itself. That is, since any government is by definition always the collective organization of the supreme apparatus of power based on physical violence, the tactics used by the government in this "national effort" must necessarily involve more compulsions, prohibitions, and other controls over its citizens in their peaceful economic affairs. For no government at war (be it a campaign against poverty, religion, or an invading army) has ever fought the war by exercising fewer controls over its citizens.

I have never heard of an exception to that principle of government in action. Perhaps that explains why our governmental leaders have realistically used military terminology and organization in their plans to mobilize the nation's manpower and resources for the coming battle.

DEAN RUSSELL

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PROPERTY HEALTHY FOR MAN

RUSSELL KIRK

ONE of the most evil works of collectivism – whether it be called communism, state capitalism, socialism, "people's democracy," or what you will – is the destruction of true private property. For the longing of man to have something genuinely his own goes back beyond the roots of civilization.

In the Nazi and communist concentration camps, the wretched prisoners clung, as their last hope, to some particular patch of floor in cell or barracks, where they could sleep every night and crouch during the day. The most extreme cruelty which their jailer could contrive was to shift their victims, frequently, from spot to spot or building, so that even this last show of private property was denied them. They had *nothing* to call their own.

As the bull, doomed in the ring, returns after every charge to his little patch of stamping ground, so man requires innately some tiny territory that is *his*. This point is made sagaciously by Mr. Robert Ardrey in his book, *African Genesis: A Personal Investigation into the Animal Origins and Nature of Man.*

In man, as in most other animals (not counting insects), Mr. Ardrey points out the instinct for status and one's own domain is stronger even than the appetite for sex. It is this fact which Marxists and other utopian reformers ignore, to the great suffering of modern mankind.

"We, the approximate Class of 1930," Mr. Ardrey writes, "today furnish trusted and vital leadership to world thought, world politics, world society, and to whatever may exist of world hope. But we do not know that the human drive to acquire possession is the simple expression of an animal instinct many hundreds of times older than the human race itself." The rediscovery of this

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fact, Ardrey goes on to explain, refutes Marxism.

Nearly 90 years ago the great legal authority, Henry Maine, declared that civilization is the product of personal property. This thesis is reaffirmed in our time by Dr. Gottfried Dietze, in his slim, important book, *In Defense of Property*. If you deprive man of true property, you work for the destruction of culture and a just civil social order.

Human nature is constant. We moderns are not really different, in longing and character, from the ancient Egyptians whose hopes and lamentations we can read in their tombs. And if we deprive modern humanity of one of its natural satisfactions and supports, we reduce mankind to something less than it ought to be.

So it is necessarily evil to be rootless, to own nothing, to be simply a little insecure speck in a kind of tapioca pudding society. And the more personal a piece of property is, the healthier for man it becomes. Merely owning a stock certificate or a bond or a deposit book does not satisfy the instinct for property – though doubtless this is better than no property at all.

Thus the crofter in the Hebrides, or the Portuguese fisherman in his tiny cottage, in one considerable sense is a happier and truer man than the most successful industrial manager in Soviet Russia. He possesses his own little domain, while the industrial commissar is lost in an impersonal, propertyless, gray insect world. ◈

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Abraham Lincoln

PROPERTY is the fruit of labor; property is desirable; is a positive good in the world. That some should be rich is just encouragement to industry and enterprise. Let not him who is houseless pull down the house of another, but let him work diligently and build one for himself, thus by example assuring that his own shall be safe from violence when built. I take it that it is best for all to leave each man free to acquire property as fast as he can. Some will get wealthy. I don't believe in a law to prevent a man from getting rich; it would do more harm than good.

Address to the Working Men's Association of New York, 1864

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RIGHTS

HENRY HAZLITT

THE CONCEPT of Rights is in origin a legal concept. In fact, in most European languages the term for Law is identical with the term for Right. The Latin *jus*, the French *droit*, the Italian *diritto*, the Spanish *derecho*, the German *Recht* signify both the legal rule that binds a person and the legal right that every person claims as his own. These coincidences are no mere accident. Law and Right are correlative terms. They are two sides of the same coin. All private rights are derived from the legal order, while the legal order involves the aggregate of all the rights coordinated by it. As one legal writer puts it: "We can hardly define a right better than by saying that it is the *range of action assigned to a particular will within the social order established by law.*"[1]

In other words, just because every person under the rule of law is divested of an unlimited liberty of action, a certain liberty of action *within* the legal limits is conceded and guaranteed to him by right.

When a man claims something as a right, he claims it as *his own* or *as due to him.* The very conception of a legal right for one man implies an *obligation* on the part of somebody else or of everybody else. If a creditor has a right to a sum of money owed to him on a certain day, the debtor has an obligation to pay it. If you have a right to freedom of speech, to privacy, or to the ownership of a house, everyone else has an *ob-*

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[1] Paul Vinogradoff, *Common-Sense in Law* (Home University Library; New York: Henry Holt, 1914), pp. 61-62. I am indebted to Vinogradoff's whole discussion of the nature of rights in positive law.

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ligation to respect it. A legal right for me implies a legal duty of others not to interfere with my free exercise of it.

Among legal rights almost universally recognized and protected today are the right to freedom from assault, or from arbitrary arrest or imprisonment; the right to be protected from arbitrary intrusion into one's home; the right to freedom of speech and publication (within certain established limits); the right to hold property; the right to compensation for damages inflicted by trespassers; the right to demand fulfillment of a contract; and many others.

The notion of legal right has its counterpart in legal duty. In their legal relations men either *claim* or *owe*. If A exerts an acknowledged right, he has the legal power to require that B (or that B, C, D, etc.) shall act or forbear to act in a certain way – shall do something or abstain from doing something.

Neither legally nor morally can "property rights" be properly contrasted with "human rights":

> The right of ownership is, strictly speaking, quite as much a personal right—the right of one person against other persons—as a right to service, or a lease. It may be convenient for certain purposes to speak of rights over things, but in reality there can only be rights *in respect of* things *against* persons. . . . Relations and intercourse arise exclusively between live beings; but goods as well as ideas are the object and the material of such relations; and when a right of ownership in a watch or a piece of land is granted to me by law, this means not only that the seller has entered into a personal obligation to deliver those things to me, but also that every person will be bound to recognize them as mine.[2]

"Every single legal rule may be thought of as one of the bulwarks or boundaries erected by society in order that its members shall not collide with each other in their actions."[3] As every legal rule appears as a necessary adjunct to some relation of social intercourse, it is often difficult to say whether the rule precedes the rights and duties involved in the relation, or vice versa. Both of these sides of law stand in constant cross-relations with each other.

Constitutional Guarantees

In the last three centuries there has been an expansion of legal rights and an increasingly explicit recognition of their existence and importance. To protect the individual against abuses in statute law or by law-enforcement officials, "bills of rights" have been

[2] *Ibid.*, pp. 68-69.

[3] *Ibid.*, p. 70.

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incorporated into written constitutions. The most famous of these is the Bill of Rights adopted in 1790 in the American Constitution.

The Bill of Rights is another name for the first ten Amendments. It guarantees freedom of worship, of speech, and of the press; the right of the people peaceably to assemble, and to petition the government for a redress of grievances; the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures; the right of every person not to be compelled in any criminal case to be a witness against himself; nor to be deprived of life, liberty, or property, without due process of law; nor to have his property taken for public use, without just compensation; the right of the accused, in all criminal prosecutions, to a speedy and public trial by an impartial jury; the right to be protected against excessive bail and excessive fines, and cruel and unusual punishments.

This list is not complete. To the rights specified in the first ten Amendments, additional rights were later added in the Fourteenth Amendment. Some rights, in fact, are specified in the original Constitution. The privilege of the writ of *habeas corpus* cannot be suspended unless in cases of rebellion or invasion the public safety may require it. Congress is prohibited from passing any bill of attainder or *ex post facto* law. Any state also is prohibited from passing any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts.

We shall return later to fuller consideration of some of these rights, and of their scope and limitations.

Natural Rights

Especially in the last two centuries, there has been a broadening of the concept of legal rights to the notion of "natural" rights. This was already implicit and sometimes explicit, however, in the thought of Plato and Aristotle, of Cicero and the Roman jurists, and becomes more explicit and detailed in the writings of Locke, Rousseau, Burke, and Jefferson.[4]

The term *Natural Rights*, like the term *Natural Law*, is in some respects unfortunate. It has helped to perpetuate a *mystique* which regards such rights as having existed since the beginning of time; as having been handed down from heaven; as being simple, self-evi-

[4] A scholarly and illuminating history can be found in Leo Strauss, *Natural Right and History* (University of Chicago Press, 1953).

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dent, and easily stated; as even being independent of the human will, independent of consequences, inherent in the nature of things. This concept is reflected in the Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness."

A Goal or Ideal

Yet though the term *Natural Rights* easily lends itself to misinterpretation, the *concept* is indispensable; and it will do no harm to keep the term as long as we clearly understand it to mean *ideal* rights, the legal rights that every man *ought* to enjoy. The historic function of the doctrine of Natural Rights has been, in fact, to insist that the individual be guaranteed legal rights that he did not have, or held only uncertainly and precariously.

By a further extension, we are justified in talking not only of "natural" *legal* rights but of *moral* rights. Yet clarity of thought demands that we hold fast to at least one part of the *legal* meaning of "rights." We have seen that every right of one man implies a corresponding *obligation* of others to do something or refrain from doing something so that he may be protected in and even *guaranteed* that right. If we abandon this two-sided concept the term *right* becomes a mere rhetorical flourish without definite meaning.

Pseudo-Rights

Before we examine the real nature and function of "natural" or moral rights it will clarify our ideas to look at some illegitimate extensions of the concept.

These have been rife for the last generation. An outstanding example is the Four Freedoms announced by President Franklin D. Roosevelt in 1941. The first two of these – "freedom of speech and expression," and "freedom of every person to worship God in his own way" – are legitimate freedoms and legitimate rights. They were, in fact, already guaranteed in the Constitution. But the last two – "freedom from want . . . everywhere in the world" and "freedom from fear . . . anywhere in the world" are illegitimate extensions of the concept of freedom or the concept of rights.

It will be noticed that the first two are freedoms *of* (or *to*), and the second two are freedoms *from*. Had Roosevelt used the synonym "liberty," he would still have been able to promise "liberty *to*," but English idiom would hardly have allowed him to promise "liberty

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from."[5] "Freedom to" is a guaranty that no one, including the government, will be allowed to *interfere* with one's freedom of thought and expression; but "freedom *from*" means that it is considered the duty of *someone else* to *supply* one's wants or to *remove* one's fears. Aside from the fact that this is a demand impossible of fulfillment (in a world of daily dangers and in a world in which we have not collectively produced enough to meet all our wants), just how does it become someone else's duty to supply my wants or to banish my fears? And how do I decide just *whose* duty it is?

Human Rights and the U. N.

Another outstanding example of a demand for pseudo-rights is found in the Universal Declaration of Human Rights adopted by the General Assembly of the United Nations in 1948. This declaration states, for example, that "everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay." Assuming that this is even possible for *everyone* (in South America, Asia, Africa, and in the present state of civilization), whose obligation is it to provide all this? And how far does each provider's alleged obligation extend?

The same questions may be asked of all the rhetorical demands for alleged rights that we now hear almost daily – "the right to a minimum standard of living"; "the right to a decent wage"; "the right to a job"; "the right to an education"; and even "the right to a *comfortable* living"; "the right to a *satisfactory* job," or "the right to a *good* education." It is not only that all these alleged rights have vague quantitative boundaries – that they do not specify how high a wage is considered "decent" or *how much* education "the right to an education" implies. What makes them pseudo-rights is that they imply that it is somebody else's *obligation* to supply those things. But they do not usually tell us *whose* obligation, or precisely how it comes to be *his*. My "right to a job" implies that it is somebody else's *duty* to give me a job, apparently regardless of my qualifications or even whether I would do more damage than good on the job.

Absolute vs. Prima Facie Rights

Unfortunately, disposing of some of the more obviously pseudo-rights does only a little to simplify our problem. Natural rights

[5] See George Santayana, *Dominations and Powers* (New York: Scribner's, 1951), p. 58n.

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or moral rights are not always self-evident, are not necessarily simple, and are seldom if ever absolute. If legal rights are the correlates of legal rules, moral rights are the correlates of moral rules. And as moral duties may sometimes conflict with each other, so may moral rights. My legal and moral rights are limited by your legal and moral rights. My right to freedom of speech, for example, is limited by your right not to be slandered. And "your right to swing your arm ends where my nose begins."

The temptation to simplify moral rights is great. One moral philosopher, Hastings Rashdall, tried to reduce them all to one single right – the right to equality of consideration:

> Not only does the principle of equal consideration not necessarily prescribe any actual equality of Well-being or of the material conditions of Well-being: when properly understood, it does not favor the attempt to draw up *a priori* any detailed list of the "rights of man." It is impossible to discover any tangible concrete thing, or even any specific "Liberty of action or acquisition," to which it can be contended that every individual or human being has a right under all circumstances. There are circumstances under which the satisfaction of any and every such right is a physical impossibility. And if every assertion of right is to be conditioned by the clause "if it be possible," we might as well boldly say that every man, woman, and child on the earth's surface has a right to £1000 a year.
>
> There is every bit as much reason for such an assertion as for maintaining that every one has a right to the means of subsistence, or to three acres and a cow, or to life, or to liberty, or to the Parliamentary franchise, or to propagate his species, or the like. There are conditions under which none of these rights can be given to one man without prejudice to the equal rights of others. There seems, then, to be no "right of man" which is unconditional, except the right to consideration—that is to say, the right to have his true Well-being (whatever that true Well-being be) regarded as of equal importance in all social arrangements with the Well-being of everybody else.
>
> Elaborate expositions of the rights of man are, at best, attempts to formulate the most important actual or legal rights which an application of the principle of equality would require to be conceded to the generality of men at a particular state of social development. They are all ultimately resolvable into the one supreme and unconditional right—*the right to consideration;* and all particular applications of that principle must be dependent upon circumstances of time and place.[6]

[6] *The Theory of Good and Evil* (Oxford University Press, 1907), I, 227.

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A Vague Criterion

In its negative contention – in emphasizing how many devoutly-to-be-wished-for conditions may be falsely called rights – this passage is highly instructive. But in its affirmative contention – in its effort to prove that all rights may be subsumed under equality of consideration – the passage cannot be called successful. No doubt "equality of consideration" is *one* moral right. But it is a very vague one. Suppose we think of it for a moment as a claimed *legal* right. Suppose a chair of philosophy falls vacant at Harvard and M, N, and O are among those who secretly aspire to be appointed to the post. And suppose, instead, that A gets the appointment and M, N, and O discover that A was, in fact, the only man even *considered* for the post? How could any one of the unsuccessful hopefuls go about legally *proving* that he did not get equality of consideration? (And in just what would "equality of consideration" have consisted?) He could say that the appointing group was influenced by *irrelevant* considerations – by considerations apart from what were strictly A's qualifications for the post – or that his, M's, qualifications for the post were not even considered. But could the appointing group reasonably be expected to consider equally *everybody's* qualifications for the post? Or is Rashdall's criterion merely another form of Bentham's "everybody to count for one, nobody to count for more than one"? And just how would either criterion help a man to decide a specific moral problem – such as, in a shipwreck at sea, whether to save his wife or a stranger? Or even (if conditions made this the only alternative) whether to save his wife or *two* strangers?

We must try to think of moral rights with at least as much care and precision as legislators, judges, and jurists are compelled to think of legal rights. We cannot be satisfied with any vague and easy rhetorical solutions. Legal rights actually constitute an intricate and interrelated structure of rights worked out by centuries of judicial reasoning applied to centuries of human experience. Contrary to Justice Holmes's facile epigram: "The life of the law has not been logic; it has been experience,"[7] the life of the law has been *both* logic and experience. The law is the product of logic and reason *brought to bear* on experience.

Few Rights Are Absolute

As everyone's rights are conditioned by the equal rights of

[7] Justice Oliver Wendell Holmes, Jr., *The Common Law* (1881).

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others, as the rights of each must be harmonized and coordinated with the equal rights of all, and as one right may not always and everywhere be compatible with another, there are few if any *absolute* rights. Even the right to life and the right to freedom of speech are not absolute. John Locke often wrote as if the rights to life, liberty, and property *were* absolute, but he made exceptions and qualifications in the course of his discussion: "Every one as he is bound to preserve himself . . . so by the like reason, *when his own preservation comes not in competition,* ought he as much as he can to preserve the rest of mankind, and not *unless it be to do justice on an offender,* take away or impair the life, or what tends to the preservation of the life, the liberty, health, limb, or goods of another."[8] (My italics.)

Even the right to freedom of speech does not extend to libel, slander, or obscenity (though there may be difficult problems of definition concerning the latter). And nearly everyone will concede the limits to free speech as defined by Justice Holmes in a celebrated opinion:

> The most stringent protection of free speech would not protect a man in falsely shouting fire in a theatre, and causing a panic. It does not even protect a man from injunction against uttering words that may have all the effect of force. The question in every case is whether the words are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent. It is a question of proximity and degree.[9]

Adherence to Principle the Ultimate Foundation

The suggestion has been made, following the analogy of the concept of *"prima facie* duties" (which we owe to Sir David Ross), that though we have no *absolute* rights, we do have *prima facie* rights. That is, we have a *prima facie* right to life, liberty, property, etc., which must be respected in the absence of some conflicting right or other consideration. But just as the law must be more precise than this, so must moral philosophy. Legal rights are of course subject to certain conditions and qualifications. But *within* those necessary qualifications, legal rights are or ought to be *inviolable.* And so, of course, should moral rights be inviolable.

This inviolability does not rest on some mystical yet self-evident

[8] *Two Treatises of Civil Government* (1689), Book II, Chap. 2, sec. 6.

[9] *Schenck* v. *United States,* 249 U.S. 52.

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"law of nature." It rests ultimately (though it will shock many to hear this) on utilitarian considerations. But it rests, not on *ad hoc* utilitism, on expediency in any narrow sense, but on *rule*-utilitism, on the recognition that the highest and only permanent utility comes from an unyielding adherence to *principle*. Only by the most scrupulous respect for each other's imprescriptible rights can we maximize social peace, order, and cooperation. ◈

IDEAS ON LIBERTY

Beyond the State

IT MUST BE CONCEDED that there are such rights in every free government beyond the control of the State. A government which recognized no such rights, which held the lives, the liberty, and the property of its citizens subject at all times to the absolute disposition and unlimited control of even the most democratic repository of power is, after all, but a despotism. It is true it is a despotism of the many – of the majority, if you choose to call it so. But it is none the less a despotism. . . .

To lay with one hand the power of the Government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms.

MR. JUSTICE SAMUEL F. MILLER
speaking for the Supreme Court in
the case of *Loan Association* v. *Topeka* (20 Wall. 655)

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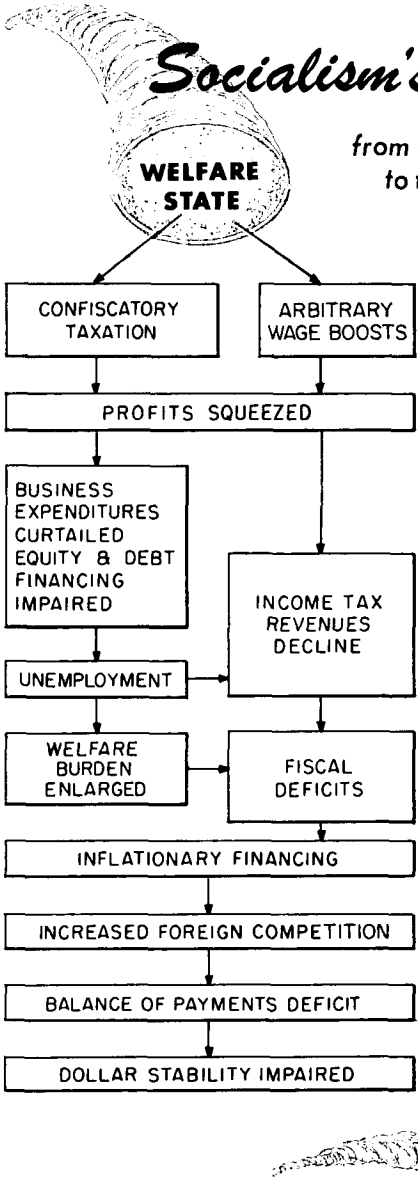
Socialism's Flow Chart

from the cornucopia of the welfare state to the whirlwind of revolution and despotism.

JOHN G. BILLS, JR.



THOUGH 1964 has shown good profits for many American companies, it is important in these fat months to understand that the prospect of profits inspires productive employment of human and other resources; dwindling profits mean unemployment and economic stagnation.

The welfare state operates as a vice and a vise – that can squeeze profits. The threat of such a squeeze can be overcome only through personal understanding and practice of the virtues of freedom – personal rejection of the underlying vices of welfarism.

Mr. Bills is a stockbroker with Hornblower & Weeks in Los Angeles.

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The Strange Death of Liberalism

WILLIAM HENRY CHAMBERLIN

AMONG the world's obituary notices some attention should be paid to the strange death of that respectable political and economic doctrine known as liberalism. Throughout the nineteenth century the Liberal Party was one of the two principal contenders for power in Great Britain. And, what was more important, liberal ideas, especially in economics, predominated in the entire Western world.

Franklin D. Roosevelt's hastily improvised Four Freedoms had not been heard of. But three freedoms, rooted in the principles of historic liberalism, as expressed in the writings of Adam Smith and Locke and Bentham and Mill, were widely observed and contributed much to the possibilities of economic growth and adjustment of population strains. These were all freedoms of movement, for men, for capital, for ideas. The millions of immigrants who came to the United States required no visas. In the best liberal tradition surplus manpower went to lands of growth, where there was a demand for labor in factories, in transportation, on farms, not only to the United States, but to other developing countries, such as Canada, Australia, Brazil, and Argentina. All the dreary business of currency control was unknown at a time when the gold standard acted as an automatic regulator, assuring the parity of the world's leading money systems.

Again in line with liberal principles, capital could freely seek the sources of largest return, which were the lands and enterprises in greatest need of capital. It would be hard to find a better example of the principles of eco-

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nomic liberalism in action than the financial and trade policies of Great Britain. The return of British capital in many cases took the form of supplies of foodstuffs and raw materials which, under the British free trade policy, were admitted, usually without any payment of duty at all, at most with nominal tariffs. It is remarkable how many problems that are now posed in economic reports and threshed out in conferences took care of themselves when the gold standard and the authority of the free market were unquestioned.

The third freedom, of the transmission of ideas, was also unhampered by any Iron Curtain, any deliberate policy on the part of the rulers of a large part of the world to mold the thinking of their subjects. Even in Russia, the country looked on in the nineteenth century as a bastion of dark reaction, there was no difficulty in obtaining *The London Times* or other leading newspapers of Western Europe in Moscow or St. Petersburg, and there was nothing like the present Soviet deliberate insulation of the people against thoughts which were dangerous from the standpoint of communism.

Locke and Natural Rights

What was this historic liberal faith that was strongest in Great Britain and the United States, but which was shared, in large degree, by educated men throughout the European continent and which shaped the economic policies of the time? This faith is perhaps best understood by a survey of the ideas of some of its leading advocates. One of these is John Locke, whose eminently lucid mind contributed much to formulate in theory the practical compromises between the extreme positions of royalism and puritanism which found expression in England's "Glorious Revolution" of 1688. (And it deserved the name "Glorious," if only because it inaugurated a long period of civil peace and averted the futile bloodshed and bitterness that have always attended violent revolutions bent on the pursuit of utopian aims.)

Locke enunciated the principle of "natural rights" which influenced so much the Founding Fathers of the American Revolution. High among these natural rights, in his opinion, were "life, liberty, and property." It may have been an accident that this formula of Locke was not incorporated in our Declaration of Independence, the less meaningful "pursuit of happiness" being substituted for "property." Locke affirmed the position that the state was made for man, not man for the state, and brushed away such mythical

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nonsense as the divine right of kings. His definition of the state is that of an arrangement for general convenience and well-being, strictly enjoined against practices that lead to tyranny. As property is the outcome of labor, it is entitled to security and Locke describes it as "the great and chief end, therefore, of men's uniting into commonwealths."

Smith Rejects Mercantilism

Equally influential in the economic sphere was the viewpoint of Adam Smith, who dealt a series of powerful blows, in *Wealth of Nations* and other writings, to the already decaying system of licenses and regulations. (The planners and collectivists who believe that tinkering with prices and wages, exports, imports, and conditions of production is something new and advanced should read up on their history; European economic systems up to the nineteenth century were full of minute regulations and attempts to interfere with the natural operation of the free market.)

"Every man," writes Adam Smith in *Moral Sentiments*, "is by nature first and principally recommended to his own care." Not for Smith the modern fads about "national goals" and promoting the "public sector" of the economy at the expense of the private. He strongly emphasizes the point that the public good is best served by the action of innumerable private individuals, each pursuing his own good. He would limit what he calls "that insidious and crafty animal vulgarly called the statesman or politician" to the tasks of providing for external peace and internal order. A hostile commentator, the late Harold J. Laski, in his one-sided but brilliant work, *The Rise of Liberalism*, gives a fair summary of Smith's basic position as follows:

> **Adam Smith is the determined critic of most of the industrial regulations in vogue in his time. He is against protective tariffs, trade combinations, whether of capital or of labor, bounties, labor legislation, monopolies. He sees industry as a mass of interrelated actions by individuals who will do well enough so long as promises are kept and violence prohibited; and the fuller the competition between them the greater will be the public advantage. Where the system of liberty obtains, each man has the maximum inducement to labor, since he has then the certainty of reaping the maximum reward from it. . . . There is an identity of interest between classes in society which is the more fully realized the more they are left alone.**

Another contributor to the ideology of historic liberalism is

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Edmund Burke. Although Burke is the intellectual patron saint of modern conservatives, he took his stand not with the Tories, but with a branch of the Whig party of his time. And, although his views on authority, tradition, and prescription are suffused with a conservative outlook, his negative conception of the proper role of the state is quite in the liberal tradition. In his essay, "Thoughts on Scarcity," Burke wrote as follows:

> To provide for us in our necessities is not in the power of government. It would be a vain presumption in statesmen to think they can do it. . . . It is in the power of government to prevent much evil; it can do very little positive good in this, or perhaps in anything else.

Nineteenth Century Liberals

Political systems in nineteenth century Europe varied, becoming more authoritarian as one went further to the East. But economic liberalism, before World War I, was scarcely questioned. And, as a doctrine it justified itself by its works. It transformed Great Britain, where it seemed to have struck deepest root and found its most convincing advocates, into the workshop of the world. With its institutions of the free market, stable currencies, easy transfer of capital it made possible the expansion of world trade on an unprecedented scale and brought into practical use for the general benefit resources in the most remote parts of the world that would otherwise have continued to waste for lack of technical know-how, managerial enterprise, and investment capital. Its lessons are still valid; it was by the application of liberal economic principles that Europe outside the Iron Curtain was saved from the bleak and dreary morass of rationing, allocations, price controls, and bilateral trade in which the old continent threatened to bog down after the end of World War II.

On the continent of Europe liberalism, although nowhere a dominant political force (the big European mass parties are almost all Catholic or social democratic in inspiration), possesses substantial influence, because it still means what it meant in what, as we can see in retrospect, was the golden age of liberalism, between the fall of Napoleon and the outbreak of World War I. Most of the leading newspapers in European countries, large and small, are edited in the spirit of classical liberalism.

But a strange fate, a kind of euthanasia has befallen liberalism in two countries where it was once most powerful, in the

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United States and in Great Britain. The British Liberal Party which produced many prime ministers before World War I has shrunk to a tiny remnant, able to elect to Parliament only a small handful of members, unable to hold the balance between the Conservatives and the Laborites. And this tiny remnant is not agreed as to philosophy and tactics, program and direction.

British and American Reversals

Some look back a little wistfully to the time when liberalism was the creed of economic individualism, favoring private as against state initiative, rejecting the idea that government should be a grab bag into which every special interest group should reach for favors. Other modern British liberals bow before the new gods of state planning. So the British voter is left in doubt as to what he is voting for if he supports the Liberal cause at the polls. And the prospect of a significant revival of the historic party of Gladstone and Asquith is dim.

In the United States the good ship *Liberalism* has suffered a still sadder fate. It has been successfully boarded by a pirate crew of state interventionists and near-socialists who have forgotten, if indeed they ever understood, the principles of historic liberalism, who regard Marx and Keynes as more relevant to modern conditions than Adam Smith.

Two illustrations will show how liberalism, in its twentieth century American meaning, has completely departed from the original liberal philosophy. Economy and retrenchment in government spending were two constant watchwords of the Grand Old Man of British liberalism, William E. Gladstone. On principle, Gladstone was a sworn enemy of the personal income tax, which he tried to abolish altogether at one time and succeeded in keeping at a level which now seems incredibly low.

By contrast the "liberal," modern American style, is a profligate spender of public funds for any and all purposes, and sometimes merely for the sake of spending. If he is free from the cynicism of a Harry Hopkins ("Tax, tax, tax; spend, spend, spend; elect, elect, elect") with his patent formula for bribing the people with their own money, he is likely to be a strong Keynesian, convinced that the sure cure for all social and economic difficulties is for the government, the supposed horn of plenty, to write a bigger check. I recently met a professor of economics in a large public institution of learning who

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was sure unemployment could be abolished – if the government would only run a big enough deficit.

There has also been a noteworthy and significant shift in attitude toward the state since the early period of the American Republic. At that time it was the Federalists, the more conservative of the two principal parties, who favored a relatively strong central government, although a government well provided with checks and balances against the danger of tyranny. It was the Jeffersonian Republicans, the Leftists of their time, who were most jealous of the powers granted to the central government. It was Jefferson, for whom today's statist "liberals" still profess admiration, who repeatedly stressed the idea that the government which governs least is best. As Jefferson wrote to James C. Cabell in 1816:

> The way to have good and safe government is not to trust it all to one, but to divide it among the many, distributing to everyone exactly the functions he is competent to . . . What has destroyed liberty and the rights of man in every government which has existed under the sun? The generalizing and concentrating all cares into one body, no matter whether of the autocrats of Russia or France, or of the aristocrats of a Venetian senate.

A Tendency to Wink at Stalin's Worst Crimes

As American self-styled liberals departed entirely from historic liberalism in exalting and striving to make more powerful a strong centralized state, so they lost touch with such a characteristic of traditional liberalism as resenting acts of cruelty and tyranny, under whatever pretexts these might be committed. The attitude of many intellectuals who considered themselves liberals toward the Soviet dictatorship in the thirties, the period when some of Stalin's most terrible crimes were being committed, was a disgrace to reason, humanity, and commonsense – all presumably liberal values.

One of the more bizarre occupations of these phony "liberals" was drawing up and signing "Hooray for Murder" manifestoes, approving Stalin's slaughter of many of his most prominent colleagues, following trials of which the genuineness would scarcely be asserted now, even in Moscow. A convincing test of the objectivity of the American "liberal" mind in regard to the Soviet Union would be to go through the files of any typical magazine with this point of view in the thirties and forties and find out how much space was devoted to such events as:

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The liquidation of the Russian kulaks as a class.

The state-engineered famine of 1932-33.

The Soviet slave labor system.

The deportations to forced labor from Eastern Poland and the Baltic States.

The massacre of many thousands of Polish war prisoners in 1940 in the Katyn Forest and elsewhere.

The amount of space would be negligible and mainly devoted to denying that such mass atrocities occurred. Such fanatical partisan commitment to the whitewashing of a foreign dictatorship, such complete departure from the qualities of humanity, objectivity, and open-mindedness which have always been considered characteristic of the liberal spirit, suggest an infatuation that calls for examination. And examination shows that many Americans who regarded themselves as liberals were so blinded by utopian hopes or so frightened by the depression of 1929-33 that they cast overboard basic liberal ideals and were willing to overlook or explain away any crime, however monstrous, committed by a regime professing to stand for the abolition of capitalism and a state-planned economy.

A Semantic Dilemma for Those Who Believe in Liberty

This capture and appropriation of the honorable word, liberalism, by theorists whose reliance on omnicompetent statism would horrify the Founding Fathers of the liberal faith creates an embarrassing semantic dilemma for those who believe in integral liberty, on a foundation of economic liberty, who may have some reservations about calling themselves conservatives. Friedrich Hayek, unwilling to call himself a conservative while conscious of the perversion of liberalism in the United States, chooses to call himself an Old Whig, recalling that Edmund Burke, intellectual hero of most modern conservatives, belonged not to the Tories, but to a wing of the Whig Party.

However this semantic dilemma may be solved (by the use of the term libertarian, for instance), it is important to remember that the piratical seizure of the term liberalism in the United States by statists and near-socialists draws a strong line of distinction between classical liberalism and what passes by that name in America today and also between continental European liberalism and "liberalism" on this side of the Atlantic. ◈

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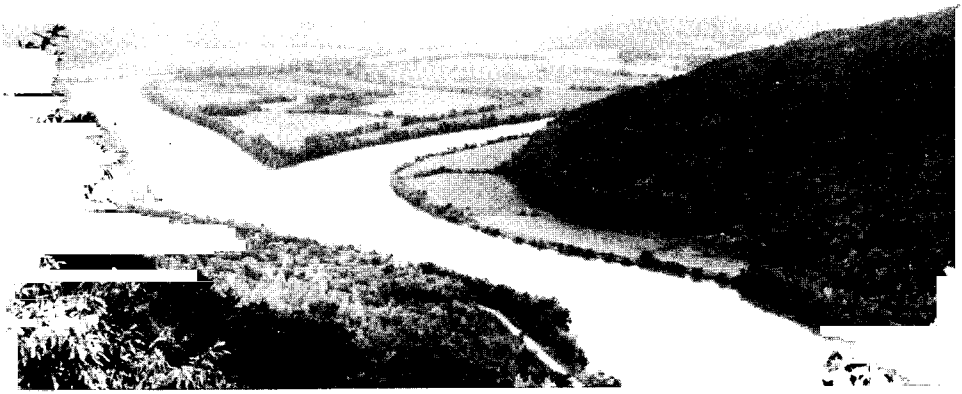

A Sign of the Times.....

JESS RALEY

SINCE I live near the border between public and private power, socialism in action is, for me, a very provocative experience. The assiduous propaganda campaign by the Tennessee Valley Authority to justify socialism and ostracize private ownership would seem to inspire anyone who loves liberty to expend all means at his command in defense of free enterprise.

It has occurred to me, as I'm sure it will to you, that I could have a selfish reason for disliking public power. Since I live on the private power side of the border, my electric bill may be a dollar or two, per month, higher than the same number of kilowatt hours would cost on the other side of the border. I do not claim to enjoy paying my own electric bill and part of my neighbor's, but I do maintain that this is the least of my complaints against public power.

One of the things that irritates me most is the huge sign on the border between public and private power areas. The sign states:

> YOU ARE NOW ENTERING
> TVA COUNTRY.
> WE PAY FOR IT.
> YOU OWN IT.

That sign really bugs me. It is a blazing endorsement, by an instrument of our United States government, of the "something for nothing" theory. It is perfectly right and legal for "you" to own something that "we" were forced to pay for, seems to be the message conveyed.

Mr. Raley is a free-lance author, speaker, philosopher from Gadsden, Alabama.

Ilustration: A. Devaney, Inc., New York.

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I resent the fact that innumerable individuals are exposed to this type of propaganda each day. Under these conditions how can children be reared to respect the rights and property of others, and also respect their government? By what authority do the powers that be in this Republic debase the American concept of ownership, void the Golden Rule, deny individual freedom of choice, and endorse a condition under which the Republic we know cannot endure?

The sign is a hoax, of course, a device for brainwashing and re-educating – a means of conditioning the individual to accept the fact that he may rightly own something that was paid for by others, and even feel pride in so doing.

In addition to the highway sign, there is a great deal of newspaper advertising in support of the theory that public power is good for America, while private power is, by implication, a nasty, monopoly-ridden industry. TVA is shown as a healthy competitor of free enterprise.

Surely no one can doubt that TVA is healthy; so healthy, in fact, it was able to secure an injunction prohibiting Southern Railway from attempting to break its (TVA's) monopoly on transporting grain. In essence their plea states that TVA has spent so much of the people's money that it is unfair to allow these same people to compete with them. That's competition?

"What do you mean, unfair?"

In regard to the right of TVA, or any organization dispensing its product, to compete with a privately owned business, consider this example: Suppose a certain municipality invoked a tax on all grocery stores within its jurisdiction. The proceeds of this tax were then used to build a huge supermarket at a choice location. When the people who paid the bill objected, city fathers and operators of the co-op store said, "What do you mean, unfair? This store belongs to you. We paid for it, but it's all yours. Now, of course, the governmental officials are going to run it. They will use your money to buy and they will sell at any price they choose. Should you find it impossible to compete under those conditions you will have to quit. If you do find a way to compete, they can get an injunction to stop you. Remember, now, this is *your* business, but you can't sell it; you will never receive one cent dividend on your investment or be able to exercise any control whatsoever over operations. All this notwithstanding, you should feel a great pride of ownership."

We, in America, joke about the

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Englishman who endures obsolete railroad transportation, because he owns the railroads. We speak, with contempt, of the shivering Russian peasant who can feel pride in the fact that the government that owns him also owns a great factory to produce warm topcoats. Then, we, as a people, accept and condone the self-same theory of ownership. This situation must surely appear amusing to a native of another land, but to me, an American citizen, born to liberty, it is deeply irritating.

Since living near one of the visible boundaries between socialism and free enterprise irritates me so deeply, it may have occurred to you that I could move to a more secluded location. As a matter of fact, I have been approached, with some pretty strong suggestions, on that very subject, by advocates of public power, but I see no honorable way to comply. It's not that I enjoy being irritated, you understand, but I have this theory about irritation and the part it must have played in the crowning achievements of man.

Oppressive taxation, among other things, so irritated the Founding Fathers that they saw fit to declare this country a free and independent nation. It seems most doubtful that the patriots would have risked their lives, fortunes, and sacred honor in a revolution with so little apparent likelihood of success, had they been any less than severely irritated.

In the beginning man found himself at a great disadvantage in physical ability. His senses of sight, hearing, and smell were inferior to that of animals that depended on these senses. As he cowed, half-starved, in the background and watched the big cats kill game that he was unable to catch, our ancestors were surely irritated. So irritated, in fact, that sooner or later some individual picked up a club and started bashing heads.

At some period in the past man became irritated because of his limited power of communication. Since early men were great fishermen, this is not difficult to understand. Just think how irritating it must have been, trying to tell about the size of that big one that got away, with nothing better than a few different grunts. There must have been many nervous breakdowns before irritated individuals, through the years, established a satisfactory vocabulary.

The list is endless, but I am sure this is enough to carry my point. I don't like to be irritated, but I'm proud that what I see happening in America does irritate me so much that I am forced to take whatever action my ability permits to reduce the cause. ◈

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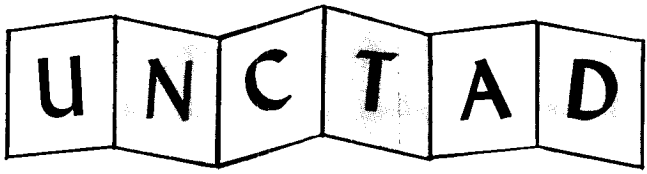

EDWARD A. ROSSIT

FIRST, what in the world is UNCTAD? Well, it is short for the United Nations Conference on Trade and Development convened in Geneva, Switzerland, in the Spring of 1964 – the largest trade conference in history, with some 2,000 delegates from 121 countries in attendance.

Even before the conference began, it had already developed some strange alliances between the "have nations" and the "have not nations" of the world. The conference also developed ominous racial undertones in that the so-called "have nations" happen to be populated with white people, while the "have not nations" are populated by people who are black, yellow, and brown.

Soon after the conference began, from the myriads of currents and crosscurrents, there began to emerge a philosophy about the relationship between rich and poor nations. This philosophy is the old share-the-wealth attitude which we have come to recognize when applied within a national economy to individuals. Tax the rich and give the money to the poor! Redistribute the wealth! Now, instead of referring to individuals, the would-be wealth sharers refer to rich and poor nations.

The rich nations somehow are guilty of something because their inhabitants have produced more, and the inhabitants of the poor nations, for some reason not yet clear, have a right to ask for and receive some of the wealth of the rich nations. Because of the racial alignment of the rich and poor nations, the white nations of the world owe something to the colored nations of the world. Since compulsory redistribution of wealth must carry with it a compelling force or threat of such a force, that too has been strongly

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hinted at in the course of the conference.

The Secretary-General of UNCTAD is an Argentinean economist-reformer, Raúl Prebisch, who is also the head of ECLA (Economic Commission for Latin America). Schooled in the Keynesian dogma, he sees no hope whatever for free enterprise economic systems, and is a firm advocate of "planned" and "directed" economies. According to Secretary-General Prebisch, the U.N. has the responsibility to take "political action in the field of trade and development." Prebisch ominously and explicitly said, "Unless the developed countries change their trade policies so that the world's financial resources become more equitably distributed, *the developing countries will resort to drastic measures. No country could afford the ensuing holocaust.*" (Italics supplied.)

Barbara Ward, British political economist, referring to the rich white nations and the poor colored nations, says it is up to the rich nations to redistribute their wealth voluntarily. She believes that if they fail to do this, then Marx will have been proven right, that a class struggle (presumably also a race war) will explode among nations, and that "we shall deservedly not long survive" (presumably because the rich nations will lose). It need not be pointed out that to redistribute your wealth "voluntarily" because otherwise there will be violence used against you is just what a victim does when he "voluntarily" gives his money to a hold-up man at gun point.

In tune with most of the poor nations at the conference, Brazil's delegate Rodrigues warned, "The bells are tolling for the rich North, and you don't have to listen too closely to hear them."

Idle Threats

Though boldly spoken, there is little to fear behind these threats. If the poor nations cannot support a thriving peace-time economy, they certainly cannot sustain a far more stringent war-time economy. There is no real danger forthcoming from this quarter. There is a danger, however, that the United States and other nations with relatively free economies will make concessions to the underdeveloped countries in the form of trade agreements which will invariably become involved with the regulation of prices and quotas. Once price and quota controls are firmly established, they cannot be enforced unless there are also controls over wages, rents, profits, and so on to a fully regimented economy.

The "need" for all this control

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is based on the claimed right of the poorer nations to be just as rich as the richest nations, for no reason other than that this is how it ought to be.

The theory advanced by Secretary-General Prebisch is that some 90 poor nations with a population of approximately two billion people sell commodities at falling prices to some 33 rich nations with a population of one billion people, who in turn sell manufactures to the poor nations at rising prices. These divergent price trends result in a "trade gap" increasingly unfavorable to the poor nations. Projected to 1970, according to Prebisch, this so-called trade gap will be twenty billion dollars. The proposed cure is a four-point program put forth by the poor countries.

Commodity Agreements

The first point involves a dubious system of price and quota agreements, intended to help those poorer nations largely dependent on a single crop. Similar agreements, like those for coffee and sugar, have existed for some time. Trade in excess of the quotas presumably would be at prices arrived at in a freely adjustable market. Though such agreements might temporarily help to stabilize one-crop economies, they would also discourage diversification and so would tend to perpetuate an unstable condition, which in turn would call for continued regulation.

The second point involves a complicated form of taxation whereby rich countries which import products from poor countries would tax these products and return the proceeds to the exporting country. In effect, American and European taxpayers would be compelled to finance public works in the poor countries, all under United Nations control. This proposal clearly reveals the impatience of the poor countries to be as rich as the rich countries, by means of wealth-sharing, rather than production. Such government-to-government systems of financing projects would stimulate in the poor countries "big government" planning for "little people," socialistic developments instead of private ones, and an impoverishing burden of bureaucracy.

The third point in the proposed UNCTAD program would impose tariffs on a "nonreciprocal" basis. The poor nations want to continue tariffs on the import of products from the rich nations, but they want the rich nations to abolish their tariffs when importing from the poor nations. The word "reciprocal," when applied to tariffs, is a diplomatic euphemism for *retaliatory*. Since sovereign nations

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cannot control the "internal" affairs of other sovereign nations, one of the factors which helps to keep tariffs down is the fear of counter-tariffs, or of retaliation. Now, the poor nations want the rich nations to volunteer *not* to retaliate. Involved in this third point is the old device of nations with infant industries imposing protective tariffs on imported goods which compete. The result would be to deny to the consumers of poor nations the use of such products until such time as they can afford the more costly domestic brands.

The fourth point proposed by the poor nations is to make UNCTAD a permanent world trade agency with cartel-making functions. International cartels were once looked upon in the same light as domestic monopolies. They restricted free trade. They diminished or abolished free competition. Monopolies, when located entirely within a country, continue to be viewed in this same undesirable light. However, international cartels, which are the same things as monopolies, are increasingly welcomed as a way of doing international business.

The rich nations of the world have heretofore remained more or less committed to relatively free and unregulated domestic markets. Being practical as well as proud nations, they have practiced reciprocity. The other UNCTAD nations have shown they dislike the rough justice of reciprocity, and they have not evidenced any strong commitments to a system of free trade. Many of the rulers of UNCTAD nations are strongly socialistic. Many of them are dictators. Many of the attitudes of UNCTAD nations are alien to nations with free traditions. For example, if one nation happens to possess an extraordinarily large share of some resource, many UNCTAD representatives are apt to look upon this resource as an *international* one being *hoarded* by that particular country. Being poor, and at the same time impatient, they have strong redistributive inclinations, and tend to rationalize these inclinations into "rights."

Sharing Poverty

No redistributive process has ever been able to create wealth. All that redistribution can do is impoverish. The answer the people of the poor nations seek does not lie in the direction of regulated and shared wealth. It lies in the direction of freer and greater production, and freer and greater trade.

In reality the quickest way for the poor nations to become rich is for the inhabitants of the poor

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nations to produce more, which means that they require more capital. One way to get capital is to provide attractive environments for private foreign investment. This is not done through veiled or open threats of nationalization, nor by encouraging unstable conditions and vague, restless philosophies to permeate domestic thinking. It is encouraged by facing up to the fact that private capital can be lured freely into a country only by the prospect of profit, with reasonable assurance that such profit will not be confiscated, unjustly taxed, or otherwise restricted. This calls for a reasonably stable economy, a stable political structure, and a sound and freely convertible currency.

If the people of the United States would serve their own interests and the interest of rich and poor alike elsewhere in the world, they will do their utmost to practice and promote free trade rather than the UNCTAD type of international cartel. ◈

IDEAS ON LIBERTY

Who Is to Blame?

SEEN from the point of view of the economically backward nations, the conflicts between "capital" and "labor" in the capitalist countries appear as conflicts within a privileged upper class. In the eyes of the Asiatics, the American automobile worker is an "aristocrat." He is a man who belongs to the 2 per cent of the earth's population whose income is highest. Not only the colored races, but also the Slavs, the Arabs, and some other peoples look upon the average income of the citizens of the capitalistic countries – about 12 or 15 per cent of the total of mankind – as a curtailment of their own material well-being. . . . It is false to blame the European powers for the poverty of the masses in their colonial empires. In investing capital the foreign rulers did all they could do for an improvement in material well-being. It is not the fault of the Whites that the Oriental peoples are reluctant to abandon their traditional tenets and abhor capitalism as an alien ideology.

LUDWIG VON MISES, Human Action

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Freedom to Work

THE TENDENCY to "demagogue it" in America has made it virtually impossible to talk common sense about anything. Thus, when Barry Goldwater, speaking before the Economics Club of New York, says that lack of motivation, not lack of education, is behind much of our unemployment, he has to risk being buried under a practically universal blast about his alleged "cold-heartedness." His qualifying sentence about the need to restore motivation as the condition of enabling boys and girls to absorb education and so prepare themselves for work is blanked out by the partisan commentators.

Since "them are the conditions that prevail" (quoting Jimmy Durante), one might have good reason to doubt that Oscar W. Cooley's eye-opening *Paying Men Not to Work* (Caxton Printers, Caldwell, Idaho, $2.50) will ever get the attention that it so clearly deserves. But if the country is ever to be saved from the demagogues, it will be by people who are willing to listen to the cool logic employed by Mr. Cooley in his discussion of the causes of the chronic unemployment of recent years.

Mr. Cooley eschews the statistical approach to economics for the old-fashioned reason that it provides no key to the future. The fact that unemployment and automation exist together proves nothing, for there may be fifty or sixty reasons for the co-existence of the two phenomena that have nothing to do with the fact that employers are always seeking to cut their costs by mechanical improvements in production. Wage scales distorted by union monopoly can have something to do with unemployment; so can attitudes; so can legislation that immobilizes people by taking care of them in places where job opportunities are slow to materialize. Again, many people can be listed as job-seekers who are only half-heartedly in the job market. The housewife who would take a job on condition that it might yield her something sub-

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stantial beyond the cost of hiring a baby-sitter is a case in point.

Mr. Cooley's proposition is a simple one. It consists of the assertion of a self-evident truth, that if you channel capital to regions or industries that cannot employ it to create optimum production or to yield maximum returns, you necessarily and inevitably take it away from enterprisers who might use it to bring about a state of full employment. It would be better for everybody, so Mr. Cooley deduces from his proposition, to let "resource allocation" take its freest forms. Mr. Cooley is not one to admit the necessity of any form of political subsidization. But if we must have some subsidizing, Mr. Cooley might be induced to argue that it should go toward making state and national employment agencies more efficient factors for matching men with existing job opportunities. At present the main effect of government invasion of the employment agency field is to set up "dole-dispensing agencies" which keep people from moving about in quest of work.

The Ghost Town Fallacy

Mr. Cooley attacks so-called "area redevelopment" as a form of the "ghost town fallacy." Obviously, if the government had spent immense sums to keep men employed in the buggy whip business or in the hay, grain and feed business, the automobile men might never have had the capital to put Detroit on the map. We can see this as it relates to the past. No one in his right mind would argue that Central City, Colorado, should be reconstituted as a mining camp; it is enough that it has become an interesting historical artifact. But we do not see the new Central Cities under our noses. When machines replace bituminous coal workers, the attempt to find forms of subsidized employment for the men of the mines deflects capital from the very businesses that might put the ex-miners to work in industries that would be profitable all around. True enough, an ex-miner may be unwilling to move. But should Connecticut, say, or Idaho, be compelled to support the ex-miner to stay where he is? The same argument could have been used sixty years ago to keep buggy whip manufacturers employed in Westfield, Massachusetts, which once boasted that it was the "buggy whip capital of the world."

The "ghost town fallacy" is paralleled by the fallacy of overextended unemployment compensation. Noting that a chronic shortage of labor exists in many types of industry at a time when unemployment hovers around the five

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per cent mark, Mr. Cooley wonders about the common sense of giving men weeks of unemployment insurance benefits followed by the possibility of extensive and extended relief. He offers many examples of people who frankly prefer relief checks (which are not subject to income tax) to pay checks for jobs that they consider beneath them.

The efforts of government to "get the country moving" by subsidizing area redevelopment are negated, in Mr. Cooley's belief, by the simultaneous offer of support to people who prefer to abstain from work rather than to accept a different type of employment than they had before. We stultify ourselves in a welter of cross-purposes. And everywhere we are encouraging the practice of putting the cart before the horse.

The Appalachian Area

In the region surrounding Huntington, West Virginia, for example, there were 7,000 unemployed when Mr. Cooley looked into the matter. In an attempt to change things in West Virginia's Cabel and Wayne Counties, the government started a retraining project. Only 750 people professed any desire for retraining. The others said they were "too old" or "not interested." Only three out of eight people in the neighborhood qualified in aptitude tests for retraining. Meanwhile, in Ravenswood, West Virginia, the Kaiser industries had to bring in people from outside the state to get a new plant going.

Mr. Cooley deduces from the West Virginia experience that companies which need competent employees will take care of their own retraining. They will retrain people for specific jobs. Government retraining, on the other hand, must in the nature of things be too generalized. And the people who need to be educated for new job opportunities either lack the motivation to undertake the grind or have missed the elementary schooling that is necessary before one can even think of doing anything more than crude manual labor.

Fortunately, if regions have to sweat out a period of change, they develop their own motivation for improvement. Mr. Cooley mentions many exciting local comebacks. When Lawrence, Massachusetts, was flat on its back because of the southward migration of its textile manufacturers, local business executives set out to fill the old mills with new industries. The "finger dexterity" developed by long experience in textile work was advertised as a local resource that might be valuable to new companies. A big breakthrough

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came when the Western Electric Company decided to locate a plant in Lawrence. Soon smaller companies were following Western Electric in the trek to the banks of the Merrimac. Between 1952 and 1957 bank deposits in the area increased by thirty-five per cent, car loadings by 387 per cent, contributions to the United Fund by close to 100 per cent, and traffic at the Lawrence airport by 980 per cent.

Since some of the redevelopment money for Lawrence was raised through local taxation, local employers who may have seen incoming firms as competitors in the hiring of labor could have had a legitimate gripe at the methods employed by the city fathers to save the community as a whole. But the use of local taxation was certainly better than dependence on Washington for redevelopment funds. At least the local voters had a say in the matter of how their money was to be spent.

In a year of anti-poverty talk, Mr. Cooley's book should be considered "must" reading for anybody who hopes to approach the problem of poverty with elementary intelligence. Considered reflection on Mr. Cooley's deductions could save the nation from an emotional binge that will do nothing to remove the causes that provoke sentimentalists to equate rationality with hard-heartedness. It is the sentimentalists who whip up the mob spirit against people who are not hard-hearted in the least.

► THE NAKED SOCIETY by Vance Packard (New York: David McKay Company, 1964), 369 pp. $5.95.

THE BRAIN WATCHERS by Martin L. Gross (New York: Random House, 1964), 304 pp. $4.95.

Reviewed by Michael F. Zaremski

VANCE PACKARD, in previous books, has examined the hidden persuaders, the status seekers, and the waste makers. In *The Naked Society* he is concerned with an even more alarming and ire-arousing subject – the mass invasion of privacy through the use of modern electronic devices and psychological techniques.

None of Packard's insights are particularly profound or original, but the sheer weight of the evidence he has accumulated has a powerful effect on the reader. What he depicts is an Orwellian nightmare of "background" investigation, personality probing, and electronic eavesdropping – unabashed spying and prying by government, industry, and education.

The Brain Watchers is a thoughtful analysis of the psychological testing industry and how it seeks to dissect our personalities for its clients in industry and education, exposing our

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inner thoughts, opinions, frustrations, and aspirations, "The psychological theory which sustains the brain watcher," says Gross, "is that every job, from sales girl to board chairman, has an ideal personality description, or type, for which he hopes to find the right mate among men."

The harm to the individual is apparent; if he does not fit the predetermined criteria of the tester, he has lost the game without even being given a chance to play. The danger to the corporation, if not so evident, is equally acute. For the "brain watcher" is concerned with finding not necessarily the best man for a particular job, but the most *average* of the applicants.

A more basic objection to psychological testing is the question of the morality of prediction itself. "The *mere attempt* to predict the behavior of individual men," remarks the author, "is a violation of personal destiny. The prediction, and the undue value placed upon it, influences the destiny – and therefore the behavior – of the man *without his consent*, and is therefore intrinsically immoral. There is something unspoken but still clearly defined in Western idealism that revolts against the limiting of a man and his fate through predictive categorizing, false or otherwise." ◈

► VISIONS OF ORDER – The Cultural Crisis of Our Time, by Richard M. Weaver (Baton Rouge: Louisiana State University Press, 1964), $4.50, 153 pp.

Reviewed by Robert M. Thornton

SOCIETY is not a lump of clay to be molded as men wish. It is more like a delicate watch which will be destroyed by clumsy tinkering. The human situation imposes certain unalterable conditions upon men, conditions they must meet with as much serenity as they can muster. Changes in a society, if they are to mark a net gain, must be accommodated to the pattern of that society; all other alterations and interventions are destructive. This conclusion follows inevitably from the fact that society itself is not the invention or direct creation of any man or group of men; society is a by-product of man's cooperative effort to achieve certain personal goals and values. Society, then, "happens" without anyone planning it that way, or knowing quite why or how. Man's invincible ignorance of some things which matter most is a basic premise for such a conservative as the late Richard Weaver, and making us aware of our flawed understanding is one of his achievements.

Weaver was a learned man, a scholar, but he never lost his sense

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of wonder. Acknowledging the mystery of existence, he knew that men will never equip themselves with the perfect knowledge that rationalists believe lies within man's reach. Like Franz Winkler, he recognizes how much we learn through intuition that cannot be learned in laboratories. No doubt he would agree with E. A. Opitz's description of a conservative as one who views life more as a reality to be lived than as a problem to be solved; who, in consequence, turns his back on all illusory expectations of a future homemade heaven on earth.

Four hundred years ago Montaigne observed that man is usually very incompetent when it comes to correcting the ills of his society; his clumsy interventions often make things worse than before. The supporting evidence is all around us. During the past fifty years the striving after all sorts of political panaceas has been trailed by a corresponding decline in civilization. "Liberals" talked about an End to War, but were at the helm during two world-wide conflicts that destroyed millions of lives and billions of dollars worth of property (not to mention the spiritual casualties). They are still in power, and today a dozen or so small wars are being fought, with the possibility of a third world war in the offing. During the same period, the "liberals" whooped it up for One World and an end to all forms of nationalism in favor of so-called internationalism. But after a half century, the barriers between nations are far greater than before World War I, when movements of goods, ideas, and people throughout the world were relatively free.

The great paradox of "liberal" thinking is that it regards individual man as unfree, the product of forces outside his control; whereas Man in the abstract — or collective Man — is viewed as something above creation, a perfectible being who requires no salvation since all evil resides in society, or in the material universe. Men, therefore, cannot be held accountable for the evil they do. Such a view of man finally reduces the individual to an irresponsible cipher and leads to a glorification of the godless State.

Weaver, on the other hand, champions individual excellence. He rejects a classless society and a society of privileged orders alike, because both stem from political interventions. What we need are the social conditions which permit and encourage the emergence of a true aristocracy of virtue and talent, which both John Adams and Mr. Jefferson saw as vital to any healthy society. ◈

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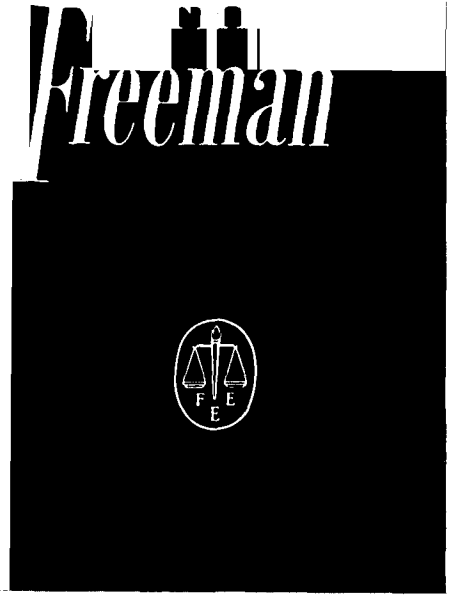

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